

Minute Action

AGENDA ITEM: 24

Date: September 1, 2010

Subject: Valley Measure I Major Street Program Jurisdiction Master Agreement with the City of Rialto

Recommendation:* Approve the Valley Measure I Major Street Program Jurisdiction Master Agreement C10253 with the City of Rialto in the Amount of \$247,690

Background: The SANBAG Board adopted the Measure I 2010-2040 Strategic Plan in April 2009. As part of the Strategic Plan, the Board approved creation of the Valley Arterial sub-program under the Major Street Program. Strategic Plan Policies 40001 and 40006 provide the framework for administering the sub-program. One of the requirements established was that jurisdictions must execute a Jurisdiction Master Agreement with SANBAG before they are eligible to begin the expenditure of Measure I funds allocated to their jurisdiction under the sub-program.

Allocations of Measure I funds are approved through the annual apportionment and allocation process and are subsequently included in the annual SANBAG Budget. The Jurisdiction Master Agreement is designed to include multiple arterial projects for a single jurisdiction, and the project list included in Attachment A to the agreement will be updated on an annual basis as jurisdictions amend their Capital Project Needs Analysis (CPNA) and receive additional allocations of funding.

*Approved
Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

<input type="checkbox"/>	COG	<input type="checkbox"/>	CTC	<input checked="" type="checkbox"/>	CTA	<input type="checkbox"/>	SAFE	<input type="checkbox"/>	CMA
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Check all that apply

brd1009c-ss

Attachments: C10253

The first two years of projects included in the CPNA submitted to SANBAG by each jurisdiction are included in Attachment A to the Jurisdiction Master Agreement. Jurisdictions may expend Measure I funds on any of these projects, up to the allocation limit referenced in Attachment B. Following expenditure of funds, jurisdictions will submit invoices for project expenditures, and SANBAG will reimburse jurisdictions for the public share of expenditures up to the allocation limit.

Jurisdictions with expenditures that exceed the allocation limit may be reimbursed for those expenditures in a subsequent fiscal year after additional allocation(s) of Measure I to the jurisdiction are approved by the SANBAG Board. Providing for advance expenditure allows project delivery to continue with the jurisdiction's own funds, with the expectation of future reimbursement by SANBAG for the public share. Jurisdictions that incur advance expenditures must accept the risk that the SANBAG Board may not allocate sufficient funds to cover the entire public share of advance expenditures in the subsequent year.

Approval is requested for the Jurisdiction Master Agreement with the city of Rialto. The agreement will be amended annually, with updated information in Attachments A and B as projects are added or modified and the allocation limit is increased.

Financial Impact: This item is consistent with the approved Fiscal Year 2010/2011 Budget, Task No. 51511000 Valley Apportionment and Allocation.

Reviewed By: This item was reviewed and unanimously recommended for approval by the Plans and Programs Committee on August 18, 2010. The Jurisdiction Master Agreement has been reviewed by SANBAG counsel and approved by the city council.

Responsible Staff: Ty Schuiling, Director of Planning

SANBAG Contract No. **C10253**
by and between
San Bernardino County Transportation Authority
And City of Rialto
for Jurisdiction Master Agreement

FOR ACCOUNTING PURPOSES ONLY

<input checked="" type="checkbox"/> Payable <input type="checkbox"/> Receivable	Vendor Contract # _____ Vendor ID _____	Retention: <input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Original <input type="checkbox"/> Amendment
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Notes:

Original Contract:	\$ <u>247,690</u>	Previous Amendments	\$ _____
		Previous Amendments	\$ _____
		Contingency / Allowance Total:	
Contingency / Allowance Amount	\$ _____	Current Amendment:	\$ _____
		Current Amendment Contingency / Allowance:	\$ _____

Contingency Amount requires specific authorization by Task Manager prior to release.

Contract TOTAL ► \$ 247,690

* Funding sources remain as stated on this document unless and until amended by proper authority. Funding sources are those which are ultimately responsible for the expenditure.

▼ Include funding allocation for the original contract or the amendment

Main Task/ Project	Level 1	Level 2	Cost Code/ Object	Grant ID/ Supplement	Funding Sources/ Fund Type (Measure I, STP, CMAQ, etc.)	Amounts for Contract Total or Current Amndmnt Amt
<u>515</u>	<u>018</u>	<u>031</u>	<u>54830</u>	_____	<u>4130</u>	<u>\$30,961.25</u>
<u>515</u>	<u>018</u>	<u>032</u>	<u>54830</u>	_____	<u>4130</u>	<u>\$ 30,961.25</u>
<u>515</u>	<u>018</u>	<u>033</u>	<u>54830</u>	_____	<u>4130</u>	<u>\$ 30,961.25</u>
<u>515</u>	<u>018</u>	<u>034</u>	<u>54830</u>	_____	<u>4130</u>	<u>\$ 30,961.25</u>
<u>515</u>	<u>018</u>	<u>035</u>	<u>54830</u>	_____	<u>4130</u>	<u>\$ 30,961.25</u>
<u>515</u>	<u>018</u>	<u>036</u>	<u>54830</u>	_____	<u>4130</u>	<u>\$ 30,961.25</u>
<u>515</u>	<u>018</u>	<u>037</u>	<u>54830</u>	_____	<u>4130</u>	<u>\$ 30,961.25</u>
<u>515</u>	<u>018</u>	<u>038</u>	<u>54830</u>	_____	<u>4130</u>	<u>\$ 30,961.25</u>

Original Board Approved Contract Date:	<u>9/1/10</u>	Contract Start: <u>9/1/10</u>	Contract End: <u>7/1/13</u>
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New Amend. Approval (Board) Date:	_____	Amend. Start: _____	Amend. End: _____
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Allocate the **Total Contract Amount** or **Current Amendment** amount between **Approved Budget Authority** in the current year and **Future Fiscal Year(s) Unbudgeted Obligation**.

Approved Budget Authority ►	Fiscal Year: <u>10/11</u> \$ <u>247,690</u>	Future Fiscal Year(s) – Unbudgeted Obligation ►	\$ _____
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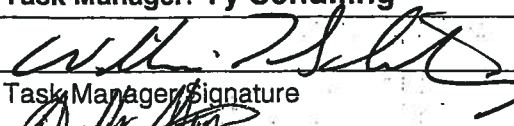

☒ Budget authority for this contract currently exists in Task No. 51511000 (C-Task may be used here.). ☐ A budget amendment is required. A Budget Amendment Request is attached.

CONTRACT MANAGEMENT

Check all applicable boxes:

<input checked="" type="checkbox"/> Intergovernmental	<input type="checkbox"/> Private	<input type="checkbox"/> Federal Funds	<input type="checkbox"/> State/Local Funds
<input type="checkbox"/> Disadvantaged Business Enterprise (DBE)	<input type="checkbox"/> Underutilized DBE (UDBE)		

Task Manager: Ty Schuiling	Contract Manager:
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Task Manager Signature

Chief Financial Officer Signature

Date
8/31/14

Contract Manager Signature Date

JURISDICTION MASTER AGREEMENT NO. C10253

BETWEEN

SAN BERNARDINO COUNTY TRANSPORTATION AUTHORITY

AND

CITY OF RIALTO

THIS AGREEMENT is made and entered into this 22nd day of June, 2010 by and between the San Bernardino County Transportation Authority (hereinafter referred to as "SANBAG") and the City of Rialto (hereinafter referred to as "CITY").

WITNESSETH

WHEREAS, the Measure I 2010-2040 Strategic Plan identified Valley Major Street Program-Arterial Sub-program projects eligible for partial funding from Measure I 2010-2040 revenues; and

WHEREAS, this Jurisdiction Master Agreement is to be carried out in accordance with the policies in the Measure I 2010-2040 Strategic Plan; and

WHEREAS, SANBAG has determined that these PROJECTS (Attachment A) are included in the SANBAG Development Mitigation Nexus Study Capital Project Needs Analysis; and

WHEREAS, SANBAG will reimburse CITY for the public share of eligible PROJECT expenditures with Measure I 2010-2040 Major Street Program- Arterial Sub-program funds up to the annual fund allocation amount (Attachment B);

NOW, THEREFORE, SANBAG and CITY agree to the following:

SECTION I

SANBAG AGREES:

1. To reimburse CITY, as provided in Section III, within 30 days after CITY submits to SANBAG an original and two copies of the signed invoices in the proper form covering those actual allowable PROJECT expenditures that were incurred by CITY, consistent with the invoicing requirements of the Measure I 2010-2040 Strategic Plan, including backup information. Invoices may be submitted to SANBAG as frequently as monthly.

2. When conducting an audit of the costs claimed under the provisions of this Agreement, to rely to the maximum extent possible on any prior audit of CITY performed pursuant to the provisions of State and Federal laws. In the absence of such an audit, work of other auditors will be relied upon to the extent that work is acceptable to SANBAG when planning and conducting additional audits.
3. SANBAG shall assign a project liaison for purposes of coordinating project activities and invoice review.

SECTION II

CITY AGREES:

1. Only eligible PROJECT-specific work activities, as set forth in Attachment A to this Agreement, that conform to the SANBAG Nexus Study and are included in first two years of the current Capital Project Needs Analysis (CPNA) will be eligible for reimbursement with Measure I Major Street Program- Arterial Sub-program funds.
2. To prepare and submit to SANBAG an original and two copies of signed invoices for reimbursement of those eligible PROJECT expenses according to Attachment A. Invoices may be submitted to SANBAG as frequently as monthly, up the allocation limit specified in Attachment B.
3. To repay to SANBAG any reimbursement for Measure I costs that are determined by subsequent audit to be unallowable within ninety (90) days of CITY receiving notice of audit findings, which time shall include an opportunity for CITY to respond to and/or resolve the finding. Should the finding not be otherwise resolved and CITY fail to reimburse moneys due SANBAG within ninety (90) days of audit finding, or within such other period as may be agreed between both parties hereto, the SANBAG Board reserves the right to withhold future payments due CITY from any source under SANBAG's control.
4. To provide 40.9% share of total eligible PROJECT expenses, which represents the development share, as documented in Attachment B.
5. To maintain all source documents, books and records connected with its performance under this Agreement for a minimum of five (5) years from the date of the Final Report of Expenditures submittal to SANBAG or until audit resolution is achieved, whichever is later, and to make all such supporting information available for inspection and audit by representatives of SANBAG. Copies will be made and furnished by CITY upon request,
6. To establish and maintain an accounting system conforming to Generally Accepted Accounting Principles (GAAP) to support CITY request for reimbursement, payment vouchers, or invoices which segregate and accumulate costs of PROJECT work

elements and produce monthly reports which clearly identify reimbursable costs, matching fund costs, indirect cost allocation, and other allowable expenditures by CITY.

7. To prepare a Final Report of Expenditures, including a final invoice reporting the actual eligible PROJECT costs expended for those activities described in the work activities, and to submit that Report and invoice no later than 120 days following the completion of those expenditures. The Final Report of Expenditures, an original and two copies of which report shall be submitted to SANBAG, must state that these PROJECT funds were used in conformance with this Agreement and for those PROJECT-specific work activities described.
8. To have a PROJECT-specific audit completed by SANBAG, at SANBAG's option, upon completion of the PROJECT. The audit must state that all funds expended on the PROJECT were used in conformance with this Agreement.
9. To include SANBAG in Project Development Team (PDT) meetings, if and when such meetings are held, and related communications on project progress and to provide at least quarterly schedule updates to SANBAG. SANBAG shall assign a project liaison for the purpose of attending PDT meetings.
10. As an eligible PROJECT expense, to post signs when PROJECT begins at the boundaries of the PROJECT noting that PROJECT is funded with Measure I funds. Signs shall bear the logos of San Bernardino Associated Governments and City of Rialto.

SECTION III

IT IS MUTUALLY AGREED:

1. To abide by all applicable federal, state and local laws and regulations pertaining to the PROJECT, including policies in the applicable program in the Measure I 2010-2040 Strategic Plan, as amended, as of the date of execution of this agreement.
2. SANBAG's financial responsibility shall be 59.1% of actual cost for eligible PROJECT expenditures, up to the allocation limit specified in Attachment B. An estimate of costs for each PROJECT PHASE is provided in Attachment A.
3. CITY may be reimbursed in a subsequent fiscal year for expenditures in excess of the allocation limit for the current fiscal year, based on invoices for eligible PROJECT expenditures. SANBAG retains the option to reimburse CITY no more than 50% of the public share of excess expenditures for the current fiscal year within the first six months of the subsequent fiscal year, with the remaining 50% to be reimbursed in the second six months of the fiscal year. SANBAG shall inform the jurisdiction within 30 days of receipt of an invoice for the excess expenditures, if it chooses to exercise that option.

4. If CITY does not expend funds up to the allocation limit in Attachment B within the current fiscal year, the unused portion may be applied to eligible PROJECT expenditures in the subsequent fiscal year, in addition to the allocation limit for the subsequent year. A cumulative allocation limit will be maintained in Attachment B. The cumulative allocation limit will be reconciled against the CPNA submittals beginning with the submittals for Fiscal Year 2012/2013 and adjusted, as appropriate, in the apportionment and allocation process beginning that fiscal year.
5. Eligible PROJECT reimbursements shall include only those costs incurred by CITY for PROJECT-specific work activities.
6. Neither SANBAG nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, CITY shall fully defend, indemnify and save harmless SANBAG, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of anything done or omitted to be done by CITY under or in connection with any work, authority or jurisdiction delegated to CITY under this Agreement. CITY's indemnification obligation applies to SANBAG's "passive" negligence but does not apply to SANBAG's "sole negligence" or "willful misconduct" within the meaning of Civil Code Section 2782. CITY and SANBAG are authorized self-insured public entities for purposes of Professional Liability, General Liability, Automobile Liability and Workers' Compensation and warrant that through their respective programs of self insurance, they have adequate coverage or resources to protect against liabilities arising out of the performance of the terms, conditions or obligations of this agreement.
7. Neither City nor any officer or employee thereof is responsible for any injury, damage or liability occurring or arising by reason of anything done or omitted to be done by SANBAG under or in connection with any work, authority, or jurisdiction delegated to SANBAG under this Agreement. It is understood and agreed that, pursuant to Government Code Section 895.4, SANBAG shall fully, defend, indemnify and save harmless City, its officers and employees from all claims, suits or actions of every name, kind and description brought for or on account of injury (as defined by Government Code Section 810.8) occurring by reason of negligence or willful acts or omissions done by SANBAG under or in connection with any work, authority or jurisdiction delegated to City under this Agreement.
8. This Agreement is expressly subordinated to any bonds, notes, certificates or other evidences of indebtedness involved in bond financings as are now outstanding or as may hereafter be issued by SANBAG.
9. The terms of this Agreement represent the consent of the CITY to provide the full development share for the PROJECT required by the SANBAG Nexus Study and that failure to contribute the development share according to the terms of this agreement

does not obligate SANBAG to provide supplemental funds or otherwise remedy that failure. SANBAG may terminate this agreement if the CITY fails to perform according to the terms of this Agreement and if this failure jeopardizes the delivery of the PROJECT according to the terms herein.

10. SANBAG shall track the CITY equitable share of the Valley Arterial Sub-program, including adjustments for the time-value of money based on time of apportionment of Measure I funds, per Strategic Plan Policy 40001/VS-1.

**San Bernardino County
Transportation Authority**

By: _____
President, SANBAG Board of
Directors

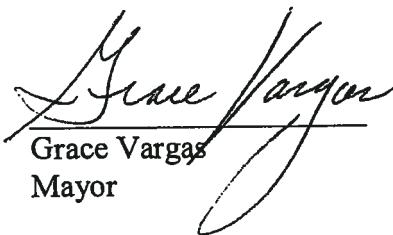
Date: _____

APPROVED AS TO FORM AND
PROCEDURE:

By: _____
Jean-Rene Basle
SANBAG County Counsel

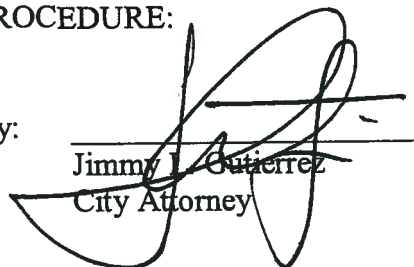
Date: _____

City of Rialto

By: 
Grace Vargas
Mayor

Date: July 15, 2010

APPROVED AS TO FORM AND
PROCEDURE:

By: 
Jimmy L. Gutierrez
City Attorney

Date: July 15, 2010

Attachment A

Project(s) Eligible for Expenditure/Reimbursement of MI Valley Arterial Funds for the City of Rialto (\$1,000s)

Alder Ave					
Widen Alder Ave from Baseline Rd to SR-210 from 2 to 6 lanes					
Total Project Cost \$4,197,000					
Eligible Public Share: \$2,438,457					
Nexus Study Fair Share: 40.9%					
Phase		Prior	FY10/11	FY11/12	Total
Project Dev/Environ Doc (PA&ED)					
MI Valley Arterial	\$	-	\$ -	\$ 248.22	\$ 248.22
Development Fees	\$	-	\$ -	\$ 171.78	\$ 171.78
Plans, Specifications and Estimates (PS&E)					
MI Valley Arterial	\$	-	\$ -	\$ 248.22	\$ 248.22
Development Fees	\$	-	\$ -	\$ 171.78	\$ 171.78
Right of Way Acquisition (ROW)					
MI Valley Arterial	\$	-	\$ -	\$ 248.22	\$ 248.22
Development Fees	\$	-	\$ -	\$ 171.78	\$ 171.78
Construction (CONST)					
MI Valley Arterial	\$	-	\$ -	\$ 1,735.77	\$ 1,735.77
Development Fees	\$	-	\$ -	\$ 1,201.23	\$ 1,201.23
Total Project					
MI Valley Arterial	\$	-	\$ -	\$ 2,480.43	\$ 2,480.43
Development Fees	\$	-	\$ -	\$ 1,716.57	\$ 1,716.57

Ayala Rd					
Widen Ayala Rd from Baseline Rd to Easton Ave from 2 to 4 lanes					
Total Project Cost \$2,269,000					
Eligible Public Share: \$1,340,980					
Nexus Study Fair Share: 40.9%					
Phase		Prior	FY10/11	FY11/12	Total
Project Dev/Environ Doc (PA&ED)					
MI Valley Arterial	\$	-	\$ -	\$ -	\$ -
Development Fees	\$	-	\$ -	\$ -	\$ -
Plans, Specifications and Estimates (PS&E)					
MI Valley Arterial	\$	-	\$ 147.75	\$ -	\$ 147.75
Development Fees	\$	-	\$ 102.25	\$ -	\$ 102.25
Right of Way Acquisition (ROW)					
MI Valley Arterial	\$	-	\$ 147.75	\$ -	\$ 147.75
Development Fees	\$	-	\$ 102.25	\$ -	\$ 102.25
Construction (CONST)					
MI Valley Arterial	\$	-	\$ 1,045.48	\$ -	\$ 1,045.48
Development Fees	\$	-	\$ 723.52	\$ -	\$ 723.52
Total Project					
MI Valley Arterial	\$	-	\$ 1,340.98	\$ -	\$ 1,340.98
Development Fees	\$	-	\$ 928.02	\$ -	\$ 928.02

Foothill Blvd						
Widen/Reconstruct Foothill Blvd from West City Limits to East City Limits from 4 to 6 lanes						
Total Project Cost \$7,215,000						
Eligible Public Share: \$4,264,060						
Nexus Study Fair Share: 40.9%						
Phase		Prior	FY10/11	FY11/12	Total	
Project Dev/Environ Doc (PA&ED)						
MI Valley Arterial	\$	-	\$ -	\$ -	\$	-
Development Fees	\$	-	\$ -	\$ -	\$	-
Plans, Specifications and Estimates (PS&E)						
MI Valley Arterial	\$	-	\$ 426.70	\$ -	\$	426.70
Development Fees	\$	-	\$ 295.30	\$ -	\$	295.30
Right of Way Acquisition (ROW)						
MI Valley Arterial	\$	-	\$ 639.46	\$ -	\$	639.46
Development Fees	\$	-	\$ 442.54	\$ -	\$	442.54
Construction (CONST)						
MI Valley Arterial	\$	-	\$ 3,197.90	\$ -	\$	3,197.90
Development Fees	\$	-	\$ 2,213.10	\$ -	\$	2,213.10
Total Project						
MI Valley Arterial	\$	-	\$ 4,264.06	\$ -	\$	4,264.06
Development Fees	\$	-	\$ 2,950.94	\$ -	\$	2,950.94

Pepper Ave						
Extend Pepper Ave from current terminus to SR-210						
Total Project Cost \$12,390,000						
Eligible Public Share: \$7,322,490						
Nexus Study Fair Share: 40.9%						
Phase		Prior	FY10/11	FY11/12	Total	
Project Dev/Environ Doc (PA&ED)						
MI Valley Arterial	\$	-	\$ -	\$ -	\$	-
Development Fees	\$	-	\$ -	\$ -	\$	-
Plans, Specifications and Estimates (PS&E)						
MI Valley Arterial	\$	-	\$ 821.49	\$ -	\$	821.49
Development Fees	\$	-	\$ 568.51	\$ -	\$	568.51
Right of Way Acquisition (ROW)						
MI Valley Arterial	\$	-	\$ 206.85	\$ -	\$	206.85
Development Fees	\$	-	\$ 143.15	\$ -	\$	143.15
Construction (CONST)						
MI Valley Arterial	\$	-	\$ 6,294.15	\$ -	\$	6,294.15
Development Fees	\$	-	\$ 4,355.85	\$ -	\$	4,355.85
Total Project						
MI Valley Arterial	\$	-	\$ 7,322.49	\$ -	\$	7,322.49
Development Fees	\$	-	\$ 5,067.51	\$ -	\$	5,067.51

Sycamore Ave							
Install a traffic signal at the intersection of Sycamore Ave and Merrill Ave							
Total Project Cost \$359,000							
Eligible Public Share: \$212,170							
Nexus Study Fair Share: 40.9%							
Phase		Prior		FY10/11		FY11/12	Total
Project Dev/Environ Doc (PA&ED)							
MI Valley Arterial	\$	-	\$	-	\$	-	\$ -
Development Fees	\$	-	\$	-	\$	-	\$ -
Plans, Specifications and Estimates (PS&E)							
MI Valley Arterial	\$	-	\$	10.64	\$	-	\$ 10.64
Development Fees	\$	-	\$	7.36	\$	-	\$ 7.36
Right of Way Acquisition (ROW)							
MI Valley Arterial	\$	-	\$	-	\$	-	\$ -
Development Fees	\$	-	\$	-	\$	-	\$ -
Construction (CONST)							
MI Valley Arterial	\$	-	\$	201.53	\$	-	\$ 201.53
Development Fees	\$	-	\$	139.47	\$	-	\$ 139.47
Total Project							
MI Valley Arterial	\$	-	\$	212.17	\$	-	\$ 212.17
Development Fees	\$	-	\$	146.83	\$	-	\$ 146.83

Valley Blvd							
Install a traffic signal at the intersection of Valley Blvd and Cactus Ave							
Total Project Cost \$359,000							
Eligible Public Share: \$212,170							
Nexus Study Fair Share: 40.9%							
Phase		Prior		FY10/11		FY11/12	Total
Project Dev/Environ Doc (PA&ED)							
MI Valley Arterial	\$	-	\$	-	\$	-	\$ -
Development Fees	\$	-	\$	-	\$	-	\$ -
Plans, Specifications and Estimates (PS&E)							
MI Valley Arterial	\$	-	\$	10.64	\$	-	\$ 10.64
Development Fees	\$	-	\$	7.36	\$	-	\$ 7.36
Right of Way Acquisition (ROW)							
MI Valley Arterial	\$	-	\$	-	\$	-	\$ -
Development Fees	\$	-	\$	-	\$	-	\$ -
Construction (CONST)							
MI Valley Arterial	\$	-	\$	-	\$	201.53	\$ 201.53
Development Fees	\$	-	\$	-	\$	139.47	\$ 139.47
Total Project							
MI Valley Arterial	\$	-	\$	10.64	\$	201.53	\$ 212.17
Development Fees	\$	-	\$	7.36	\$	139.47	\$ 146.83

Riverside Ave

Install a traffic signal at the intersection of Riverside Ave and Linden Ave

Total Project Cost \$359,000

Eligible Public Share: \$212,170

Nexus Study Fair Share: 40.9%

Phase		Prior		FY10/11		FY11/12		Total
Project Dev/Environ Doc (PA&ED)								
MI Valley Arterial	\$	-	\$	-	\$	-	\$	-
Development Fees	\$	-	\$	-	\$	-	\$	-
Plans, Specifications and Estimates (PS&E)								
MI Valley Arterial	\$	-	\$	-	\$	10.64	\$	10.64
Development Fees	\$	-	\$	-	\$	7.36	\$	7.36
Right of Way Acquisition (ROW)								
MI Valley Arterial	\$	-	\$	-	\$	-	\$	-
Development Fees	\$	-	\$	-	\$	-	\$	-
Construction (CONST)								
MI Valley Arterial	\$	-	\$	-	\$	201.53	\$	201.53
Development Fees	\$	-	\$	-	\$	139.47	\$	139.47
Total Project								
MI Valley Arterial	\$	-	\$	-	\$	212.17	\$	212.17
Development Fees	\$	-	\$	-	\$	146.83	\$	146.83

Riverside Ave

Install a traffic signal at the intersection of Riverside Ave and Locust Ave

Total Project Cost \$215,000

Eligible Public Share: \$127,070

Nexus Study Fair Share: 40.9%

Phase		Prior		FY10/11		FY11/12		Total
Project Dev/Environ Doc (PA&ED)								
MI Valley Arterial	\$	-	\$	-	\$	-	\$	-
Development Fees	\$	-	\$	-	\$	-	\$	-
Plans, Specifications and Estimates (PS&E)								
MI Valley Arterial	\$	21.87	\$	-	\$	-	\$	21.87
Development Fees	\$	15.13	\$	-	\$	-	\$	15.13
Right of Way Acquisition (ROW)								
MI Valley Arterial	\$	-	\$	-	\$	-	\$	-
Development Fees	\$	-	\$	-	\$	-	\$	-
Construction (CONST)								
MI Valley Arterial	\$	105.20	\$	-	\$	-	\$	105.20
Development Fees	\$	72.80	\$	-	\$	-	\$	72.80
Total Project								
MI Valley Arterial	\$	127.07	\$	-	\$	-	\$	127.07
Development Fees	\$	87.93	\$	-	\$	-	\$	87.93

Attachment B

Allocation Limit and Program Accounting of MI Valley Arterial Funds for the City of Rialto

Allocation/Reimbursements		Amount
FY 10/11 MI Valley Arterial Allocation	\$	247,690.00
FY 10/11 Projected Prior Adv Exp Reimbursement	\$	127,070.00
FY 10/11 Projected New MI Expenditures	\$	13,150,340.00
FY 10/11 Projected New MI Adv Expenditures	\$	13,029,720.00
Additional Programming Capacity	\$	-
Cumulative Allocation	\$	247,690.00
Cumulative Reimbursements*	\$	-
Outstanding Advance Expenditures	\$	-

* Includes both reimbursed project and advance expenditures.

- San Bernardino County Transportation Commission •San Bernardino County Transportation Authority
•San Bernardino County Congestion Management Agency •Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 25

Date: September 1, 2010

Subject: Capital Project Needs Analysis (CPNA) Submittals for FY 2011-2012

Recommendation: Information on SANBAG's Capital Project Needs Analysis Submittal Process for FY 2011-2012

Background: The Capital Project Needs Analysis submittal initiates the annual apportionment and allocation process established by SANBAG's Measure I 2010-2040 Strategic Plan, adopted in April 2009. CPNAs are to be prepared by SANBAG and its member agencies for the applicable Measure I 2010-2040 funding programs. This process was undertaken for the first time beginning in July 2009, culminating in the allocation of Measure I funds by the SANBAG Board in March 2010.

The CPNAs document project or program needs by fiscal year and include anticipated funding sources, funding amounts, and project phasing where appropriate. The CPNAs also demonstrate the availability of development mitigation fair share funds for the Valley Freeway Interchange, Valley Major Street, and the Victor Valley Major Local Highway Programs.

Each Measure I program, with the exception of the Local Street and Senior/Disabled Transit Programs, requires submission of a CPNA. Local jurisdictions are responsible for preparing the CPNAs for the Valley Major Street Program, Valley Freeway Interchange Program, and the various Mountain/Desert Major Local Highway (MLH) Programs. For the FY 2011-2012 apportionment and allocation, the 10-year Delivery Plan, is expected to document needs for the

*Approved
Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

COG		CTC	X	CTA	X	SAFE		CMA	
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Check all that apply.

programs that are generally internal to SANBAG. The 10-year Delivery Plan is currently in preparation. The CPNA submittals for the Mountain/Desert subareas have developed into maintaining a list of projects and discussion of funding priorities by the subarea representatives and the Mountain/Desert Committee. This process is ongoing and does not require a formal CPNA submittal. Thus, the formal request for CPNA submittal is going out to only the local jurisdictions in the Valley subarea.

This round of CPNAs covers the five year period from FY 2011-2012 through FY 2015-2016. CPNAs are due to SANBAG by September 30, 2010.

In accordance with the Strategic Plan, the information provided by the CPNAs will enable SANBAG to complete a cash flow analysis in Fall 2010 that will match the revenue projections and program needs over the five year period, leading to the March 2011 approval of an allocation of Measure I dollars for FY 2011-2012. The apportionment to programs and allocation to projects will be used by SANBAG and local jurisdictions in budgeting for FY 2011/2012.

Financial Impact: This item is consistent with the approved Fiscal Year 2010/2011 Budget, Task No. 51511000 Valley Apportionment and Allocation.

Reviewed By: This item was reviewed by the Plans and Programs Committee on August 18, 2010.

Responsible Staff: Steve Smith, Chief of Planning

DISCUSSION ITEMS

Minute Action

AGENDA ITEM: 26

Date: September 1, 2010

Subject: Southern California Regional Rail Authority use of the High Speed Passenger Train Proposition 1A Bond Funds for Positive Train Control

- Recommendation:***
1. Authorize the Board President to execute a Memorandum of Understanding (MOU) C11047 with the Southern California Regional Rail Authority (SCRRA) for use of the High Speed Passenger Train Proposition 1A bond funds for positive train control (PTC) and other projects through the execution of a Letter of No Prejudice (LONP) with the California Transportation Commission (CTC) and associated authorization legislation.
 2. Authorize the Board President to execute an annual Memorandum of Understanding or other agreements as needed with SCRRA and other entities to allow for the allocation of funds as authorized.

Background: The Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century approved by the voters as Proposition 1A on November 4, 2008, authorized the California Transportation Commission (CTC) upon appropriation by the Legislature to allocate funds for capital improvements to intercity rail lines, commuter rail lines, and urban rail systems that provide direct connectivity to the high-speed train system and its facilities, or that are part of the construction of the high-speed train system as set forth in Streets and Highways Code, Division 3, Chapter 20, Section 2704.04, subdivision (b) or that provide capacity enhancements, safety improvements and rehabilitation. Section 2704.095 requires

*

*Approved
 Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

X	COG	X	CTC	X	CTA		SAFE		CMA
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Check all that apply
 BRD1009b-rpg
 Attachment:
 C11047-rpg

the Commission to program and allocate the net proceeds received from the sale of \$950 million in bonds authorized under Proposition 1A for the High-Speed Passenger Train Bond Program.

For the Commuter and Urban Rail Program, a total of \$760,000,000 is to be divided among eligible applicants using a formula distribution which incorporates track miles, vehicle miles, and passenger trips. Under the formula, SCRRA is eligible to receive up to \$123,707,000, depending on bond program administration costs. The CTC intends to adopt an initial three-year program of projects starting with the 2010-11 Fiscal Year. As appropriate, if programming capacity remains, the Commission will adopt an annual rolling three-year program of projects for the Proposition 1A Program each fiscal year.

The project applications must meet the criteria set forth in Section 2704.095 (c) through (i) and for SCRRA, also the requirements of subsection (j) of the Streets and Highway Code. This funding provision is specific to SCRRA and requires that fund allocations to SCRRA be apportioned each fiscal year in accordance with memorandums of understanding between SCRRA and its Member Agencies.

SCRRA staff has worked with the staff of the member agencies to identify three project categories. In order to receive an allocation of these funds from the CTC, the act requires the SCRRA to enter into an MOU with the five member agencies that will individually approve the use. The SCRRA requires a portion of its formula share of the Proposition 1A for the PTC project. The SCRRA plans to award one of the key contracts for PTC by September 24, 2010 or possibly sooner.

In order to meet the timeframe for approval of the SCRRA contract for Positive Train Control, SCRRA is pursuing a LONP approval for its allocation of formula funds at the September 22/23, 2010 CTC meeting. This MOU must be in place before the CTC will consider the LONP or approve SCRRA's allocation of funds.

Financial Impact: This item is consistent with the current adopted FY 2010/2011 Budget, Task No. 35211000 General Commuter Rail.

Reviewed By: This item was reviewed by the Commuter Rail & Transit Committee on August 19, 2010 and unanimously recommended for approval.

Responsible Staff: Ryan Graham, Transit Planning Analyst

SANBAG Contract No. C11047

by and between

San Bernardino Associated Governments and Los Angeles County Metropolitan Transportation Authority,
Orange County Transportation Authority, Riverside County Transportation Commission, Ventura County
Transportation Commission, and Southern California Regional Rail Authority
for Uses of Prop 1A Funds

FOR ACCOUNTING PURPOSES ONLY

<input type="checkbox"/> Payable	Vendor Contract # _____	Retention:	<input checked="" type="checkbox"/> Original
<input type="checkbox"/> Receivable	Vendor ID _____	<input type="checkbox"/> Yes _____ % <input checked="" type="checkbox"/> No	<input type="checkbox"/> Amendment

Notes:

Original Contract: \$ 0	Previous Amendments \$ 0	Previous Amendments \$ 0
	Contingency / Allowance Total:	
Contingency / Allowance Amount \$ 0	Current Amendment: \$ 0	
	Current Amendment Contingency / Allowance: \$ 0	
Contingency Amount requires specific authorization by Task Manager prior to release.		
Contract TOTAL ►		\$ 0

* Funding sources remain as stated on this document unless and until amended by proper authority. Funding sources are those which are ultimately responsible for the expenditure.

▼ Include funding allocation for the original contract or the amendment

Main Task/Project	Level 1	Level 2	Cost Code/Object	Grant ID/Supplement	Funding Sources/ Fund Type (Measure I, STP, CMAQ, etc.)	Amounts for Contract Total or Current Amndmnt Amt
_____	_____	_____	_____	_____	_____	\$ 0
_____	_____	_____	_____	_____	_____	\$ 0
_____	_____	_____	_____	_____	_____	\$ 0

Original Board Approved Contract Date:	9/1/10	Contract Start: 7/1/10	Contract End: 6/30/10
New Amend. Approval (Board) Date:	_____	Amend. Start: _____	Amend. End: _____

Allocate the **Total Contract Amount** or **Current Amendment** amount between **Approved Budget Authority** in the current year and **Future Fiscal Year(s) Unbudgeted Obligation**.

Approved Budget Authority ►	Fiscal Year: 0 \$ 0	Future Fiscal Year(s) – Unbudgeted Obligation ►	\$ 0
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- ☐ Budget authority for this contract currently exists in Task No. _____ (C-Task may be used here.).
- ☐ A budget amendment is required. A Budget Amendment Request is attached.

CONTRACT MANAGEMENT

Check all applicable boxes:

- ☒ Intergovernmental ☐ Private ☐ Federal Funds ☐ State/Local Funds
- ☐ Disadvantaged Business Enterprise (DBE) ☐ Underutilized DBE (UDBE)

Task Manager: Mitch Alderman

Contract Manager: Ryan Graham



8/12/10



8/12/10

Task Manager Signature

Date

Contract Manager Signature

Date



8/12/10

Chief Financial Officer Signature

Date

CONTRACT NO. C11047

PROPOSITION 1A MEMORANDUM OF UNDERSTANDING

BY AND BETWEEN THE

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

AND

ORANGE COUNTY TRANSPORTATION AUTHORITY

AND

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

AND

SAN BERNARDINO ASSOCIATED GOVERNMENTS

AND

VENTURA COUNTY TRANSPORTATION COMMISSION

AND

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

FOR APPROVAL OF

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY (SCRRA) USES OF

COMMUTER RAIL FORMULA SHARE HIGH SPEED PASSENGER TRAIN BOND

(PROPOSITION 1A) FUNDS

THIS Memorandum of Understanding ("MOU") is effective as of July 1, 2010, by and between the Los Angeles County Metropolitan Transportation Authority, One Gateway Plaza, Los Angeles, CA 90012 (hereinafter referred to as "LACMTA"), the Orange County Transportation Authority, 550 South Main Street, P.O. Box 14184, Orange, California 92863-1584 (hereinafter referred to as "OCTA"), Riverside County Transportation Commission, 4080 Lemon Street, 3rd Floor, P.O. Box 12008, Riverside, CA 92502 (hereinafter referred to as "RCTC"), San Bernardino Associated Governments, 1170 West 3rd Street, San Bernardino, CA 92410 (hereinafter referred to as "SANBAG") and Ventura County Transportation Commission, 950 County Square

Drive, Ventura, CA 93003 (hereinafter referred to as "VCTC"), (collectively, the "Member Agencies"), and the Southern California Regional Rail Authority, 700 South Flower Street, Suite 2600,, Los Angeles, CA 90017, (hereinafter referred to as "SCRRA"), (collectively, the "Parties" and individually a "Party").

RECITALS:

WHEREAS, the SCRRA is an eligible recipient of up to \$123,707,000 in commuter rail connectivity formula funds (the "Funds") under the Safe, Reliable High-Speed Passenger Train Bond Act for the 21st Century, California Streets and Highways Code Sections 2704 et seq. (the "Act"); and

WHEREAS, the project applications must meet the criteria set forth in Section 2704.095 (c) through (i) and for the SCRRA, also the requirements of subsection (j) of the Streets and Highway Code. This funding provision is specific to the SCRRA and requires that fund allocations to the SCRRA be apportioned each fiscal year in accordance with memorandums of understanding between the SCRRA and its Member Agencies; and

WHEREAS, SCRRA staff has worked with the staff of the Member Agencies to identify three project categories. At the SCRRA Board meeting on April 2, 2010, the Board adopted a program of projects; and

WHEREAS, the California Transportation Commission (CTC) has adopted an initial three-year program of projects starting with the 2010-11 Fiscal Year. As appropriate, if programming capacity remains, the Commission will adopt an annual rolling three-year program of projects for the Proposition 1A Program each fiscal year; and

WHEREAS, the CTC, as part of the initial three-year program, programmed Funds in the amount of \$87,700,000 to the SCRRA, including \$35,000,000 for the Positive Train Control project and \$52,700,000 for Renovation and Rehabilitation;

WHEREAS, in order to receive an allocation of the Funds from the CTC, the Act requires the SCRRA to enter into memoranda of understanding with the five Member Agencies, approving the uses; and

WHEREAS, the Member Agencies desire to ensure that the Funds are used in a manner that benefits all counties throughout the Metrolink system; and

WHEREAS, the Member Agencies' governing boards and commissions have taken action to approve or will soon take action to consider approving Project No. 1 and Project No. 2 as shown in Attachment A, incorporated herein by reference. The dates of such actions are: The LACMTA Board acted on March 25, 2010; The OCTA Board will take action on August 23, 2010; The RCTC will take action on September 10,

2010; The SANBAG Board will take action on September 1, 2010; VCTC will take action on September 10, 2010; and

WHEREAS, the Parties desire that the Funds either be used for systemwide projects, or for projects in the Member Agencies' jurisdictions allocated in a method similar to the Passenger Rail Improvement Safety and Modernization ("PRISM") formula used to calculate connectivity formula funds, as described in Attachment B, incorporated herein by reference ("Allocation Formula").

NOW, THEREFORE, it is mutually understood and agreed by the PARTIES as follows:

ARTICLE 1. APPROVAL OF USES OF FUNDS

- A. The Member Agencies approve the SCRRA'S use of the Funds for Project No. 1 and Project No. 2.
- B. Prior to use of funds for the "Yet to Be Programmed Balance" shown on Attachment A, the SCRRA shall submit to the Member Agencies a proposed revision to Attachment A, specifying additional projects, and demonstrating that the projects are either systemwide, or have been selected in accordance with the Allocation Formula. Prior to any allocation or expenditure of the Funds associated with the Yet to Be Programmed Balance, this MOU shall be amended by all Parties to revise Attachment A.

ARTICLE 2. TERM

- A. The term of this MOU is from July 1, 2010 to June 30, 2011. The MOU shall automatically renew each year on July 1 until the Funds are expended, any required audits are completed, and the grants are closed.

ARTICLE 3. ENTIRE AGREEMENT

- A. This MOU, along with its Attachments, constitutes the entire understanding between the Parties, with respect to the subject matter herein. The MOU shall not be amended, nor any provisions or breach hereof waived, except in writing signed by the individuals who agreed to the original MOU or someone with the same level of authority.
- B. If any term, provision, covenant or condition of this Agreement is held to be invalid, void or otherwise unenforceable, to any extent, by any court of competent jurisdiction, the remainder to this Agreement shall not be affected

thereby, and each term, provision, covenant or condition of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

- C. This Agreement may be executed and delivered in any number of counterparts, each of which, when executed and delivered shall be deemed an original and all of which together shall constitute the same agreement. Facsimile signatures will be permitted.
- D. This MOU shall be governed by California law. The covenants and agreements of this MOU shall inure to the benefit of, and shall be binding upon, each of the Parties and their respective successors and assigns.

ARTICLE 4. NOTICE

Any notices or correspondences in connection with this MOU shall be sent to:

LACMTA:

Jay Fuhrman
One Gateway Plaza
Mailstop 99-23-4
Los Angeles, CA 90012-0952
E-mail: fuhrmanj@scrra.net

OCTA:

Jennifer Bergener
550 South Main Street,
P.O. Box 14184,
Orange, California 92863-1584
E-mail: jbergener@octa.net

RCTC:

Sheldon Peterson
4080 Lemon Street, 3rd Floor,
P.O. Box 12008,
Riverside, CA 92502
E-mail: speterson@rctc.org

SANBAG:

Mitch Alderman
1170 West 3rd Street,

C11047-rpg

MOU Approving SCRRA Uses of Proposition 1A Funds

San Bernardino, CA 92410
E-mail: malderman@sanbag.ca.gov

VCTC:

Mary Travis
950 County Square Drive,
Ventura, CA 93003
E-mail: mtravis@goventura.org

SCRRA

Joanna Capelle
700 South Flower Street, Suite 2600,
Los Angeles, CA 90017
E-mail: capellej@scrra.net

Notice will be given to the Parties at the address specified above or by e-mail with hard copy to follow, unless otherwise notified in writing of a change of address.

ARTICLE 5. INDEMNIFICATION, DEFAULT

- A. No Party nor any officer or employee thereof shall be responsible for any damage or liability occurring by reason of anything done or committed to be done by another Party under or in connection with any Funds approved to be used or used by a Party, its officers, agents, employees, contractors and subcontractors under this MOU. Each Party shall fully indemnify, defend and hold other Parties, and their officers, agents and employees, harmless from and against any liability and expenses, including without limitation, defense costs, any costs or liability on account of bodily injury, death or personal injury of any person or for damage to or loss of risk of property, any environmental obligation, any legal fees and any claims for damages of any nature whatsoever arising out of any Funds approved to be used or used hereunder by such Party, including without limitation: (i) misuse of the Funds by such Party accepting the Funds, or its officers, agents, employees, contractors or subcontractors; (ii) breach of such a Party's obligations under this Agreement; or (iii) any act or omission of such a Party, or its officers, agents, employees, contractors or subcontractors in the performance of the work or the provision of the services hereunder.
- B. The SCRRA in using the Funds as described in this MOU is not a contractor nor an agent or employee of the Member Agencies. The SCRRA attests to no organizational or personal conflicts of interest and agrees to notify the Member Agencies immediately in the event that a conflict, or the appearance thereof,

C11047-rpg

MOU Approving SCRRA Uses of Proposition 1A Funds

arises. The SCRRA shall not represent itself as an agent or employee of the Member Agencies and shall have no powers to bind the Member Agencies in contract or otherwise.

- C. No Party hereto shall be considered in default in the performance of its obligation hereunder to the extent that the performance of any such obligation is prevented or delayed by unforeseen causes including acts of God, acts of a public enemy, and government acts beyond the control and without fault or negligence of the affected Party. Each Party hereto shall give notice promptly to the other of the nature and extent of any such circumstances claimed to delay, hinder, or prevent performance of any obligations under this MOU.

IN WITNESS WHEREOF, the PARTIES hereto have caused this MOU to be executed on the date first above written.

LOS ANGELES COUNTY METROPOLITAN TRANSPORTATION AUTHORITY

By: _____
Arthur T. Leahy
Chief Executive Officer

APPROVED AS TO FORM:

Andrea Sheridan Ordin
County Counsel

By: _____

Dated: _____

ORANGE COUNTY TRANSPORTATION AUTHORITY

By: _____

Will Kempton, Chief Executive Officer

APPROVED AS TO FORM:

By: _____

APPROVAL RECOMMENDED:

By: _____

Darrell Johnson
Deputy Executive Director

Dated: _____

RIVERSIDE COUNTY TRANSPORTATION COMMISSION

BY: _____

Anne Mayer
Executive Director

Dated: _____

APPROVED AS TO FORM:

By: _____

Best, Best & Krieger LLP
General Counsel

SAN BERNARDINO ASSOCIATED GOVERNMENTS

BY: _____

Brad Mitzelfelt
SANBAG Board President

Dated: _____

APPROVED AS TO FORM:

By: _____

Jean-Rene Basle
SANBAG Counsel

VENTURA COUNTY TRANSPORTATION COMMISSION

BY: _____

Darren Kettle
Executive Director

Dated: _____

APPROVED AS TO FORM:

By: _____

Mitchel B. Kahn
General Counsel

SOUTHERN CALIFORNIA REGIONAL RAIL AUTHORITY

By: _____
John E. Fenton
Chief Executive Officer

Dated: _____

**SCRRA Uses of Commuter Rail Formula Share of
High Speed Passenger Train Bond Act (Proposition 1A) Funds**

The projects listed below are the SCRRA's proposed uses of the Funds. The SCRRA is eligible to receive up to \$123,707,000 under a rolling three-year program basis. By this agreement the Member Agencies apportion funding for the first three years of the program, Fiscal Years 2010-11, 2011-12, and 2012-13.

The Member Agencies agree to the use of \$87,707,000 by SCRRA as shown in the Subtotal line of the table. Prior to requesting allocation or expending funds for the Balance Yet to Be Programmed of \$36,000,000, the SCRRA shall request a revision to this Attachment identifying the projects and demonstrating that they provide benefits to the Member Agencies, approximately commensurate with the Allocation Formula as described in Attachment B.

Project	FY 10-11	FY 11-12	FY 12-13	Total
1. Positive Train Control (PTC)	\$35,000,000	\$0	\$0	\$35,000,000
2. Rehabilitation	\$17,707,000	\$17,500,000	\$17,500,000	\$52,707,000
SubTotal Programmed by CTC	\$52,707,000	\$17,500,000	\$17,500,000	\$87,707,000
Balance Yet to Be Programmed				\$36,000,000
Total Commuter Rail Formula Proposition 1A Funds Available to SCRRA	\$52,707,000	\$17,500,000	\$17,500,000	\$123,707,000

Allocation Formula

The SCRRA and the Member Agencies worked with other agencies around the state to establish a formula for distributing funds for rehabilitating and renovating passenger rail systems, called the Passenger Rail Improvement Safety and Modernization Formula ("PRISM"). The formula has been codified in Streets and Highways Code Section 2704.095 (a)(3) to distribute Proposition 1A connectivity funds to passenger rail operators. The PRISM formula is based on the following factors: miles of tracks, vehicle miles, and passenger boardings of each operator. In making the apportionments of the Funds, the CTC used data on each factor from the 2007 National Transit Database ("NTD") report.

Streets and Highways Code Section 2704.095 (a)(3)(j) requires that the MOU's take into account the passenger service needs of the SCRRA and the Member Agencies, revenue attributable to Member Agencies, and separate contributions to the SCRRA from the Member Agencies. NTD data is a reasonable and commonly used way to reflect and quantify the passenger service needs of the SCRRA and Member Agencies. Since 2007 NTD data was used to apportion all of the Funds to SCRRA, it is consistent for SCRRA and the Member Agencies to use the PRISM formula based on 2007 data to distribute the Funds for each year of the program. The PRISM formula using 2007 NTD data results in the following distribution amount the Member Agencies:

Agency	Member Agency Shares of Total SCRRA Connectivity Funding*	Potential Revenue (less 2% Bond Admin)	Miles of Track Utilized	% of Total Track-miles	Annual Vehicle Miles (000s)	% of Total Vehicle-miles	Annual Unlinked Passenger Boardings (000s)	% of Total Pass-Trips
MTA	51.4%	\$63,618	320.0	18.4%	5,731.7	4.7%	8225.3	2.5%
OCTA	21.5%	\$26,579	155.4	8.9%	2,063.3	1.7%	267.9	0.1%
RCTC	10.8%	\$13,388	76.0	4.4%	932.0	0.8%	844.5	0.3%
SBAG	9.1%	\$11,215	55.0	3.2%	1,380.5	1.1%	729.4	0.2%
VCTC	7.2%	\$8,907	47.0	2.7%	347.4	0.3%	1951.8	0.6%
TOTAL (SCRRA)	100.0%	\$123,707	653.4	37.6%	10,454.9	8.6%	12,018.9	3.7%

* Member Agency shares are approximate and will depend on selection of priority projects and availability of local match, thus taking into consideration revenue attributable to Member Agencies, and the separate contributions to the SCRRA from the Member Agencies, to create the "Allocation Formula" to be applied by SCRRA.

- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
 ■ San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies

Minute Action

AGENDA ITEM: 27

Date: September 1, 2010

Subject: Funding Commitment and Letter of Support to Southern California Regional Rail Authority for a Letter of No Prejudice request to the California Transportation Commission for Positive Train Control

- Recommendation:***
1. Approve the commitment of \$12,396,377 to advance Proposition 1A High Speed Rail Bond Act funds, should they be necessary, until bond funds can be sold by the state and allocated to the Southern California Regional Rail Authority.
 2. Authorize the Executive Director to sign a letter of support for the Southern California Regional Rail Authority's request for a Letter of No Prejudice from the California Transportation Commission for Positive Train Control.

Background: The Southern California Regional Rail Authority (SCRRA), the Metrolink operator, is an eligible recipient of \$124.7 million in formula funds under the High Speed Passenger Train Bond Act (Proposition 1A). As discussed under a separate agenda item, the SCRRA has identified Positive Train Control (PTC) and Rehabilitation as two projects it plans to fund with the Proposition 1A funding. Additionally, SCRRA plans to award one of the key contracts for PTC by September 24, 2010.

Allocation of the High Speed Passenger Train Bond Act funds was scheduled for approval at the California Transportation Commission (CTC) meeting in

*Approved
Board of Directors*

Date: _____

Moved: _____ *Second:* _____

In Favor: _____ *Opposed:* _____ *Abstained:* _____

Witnessed: _____

COG		CTC	x	CTA		SAFE		CMA	
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Check all that apply.

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Attachments:

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BRD1009d2-rpg

July 2010. However, the item was deferred due to the lack of State budget and uncertainty related to the potential sale of State Bonds to fund the allocation. The earliest it appears that Proposition 1A bonds could be sold is early calendar year 2011.

To correct the problem, State legislation is being pursued to authorize issuance of a Letter of No Prejudice (LONP) for the Proposition 1A funds, wherein SCRRA could gain approval to proceed with the project and to spend funds in advance of the availability of State funds. There is also on-going dialogue at the CTC and the state Board of Equalization about how to prioritize the dispensation of the Prop 1A bond funds once they are available. If approved, the LONP process requires that SCRRA member agencies agree to advance funds for the project. SCRRA currently has cash flow to fund the project possibly through March/April of 2011.

One component of the LONP process is a commitment of funding by each of the SCRRA member agencies to provide the local funding if it is needed in advance of the availability of bond funds. Staff is recommending approval of this item to provide a guarantee of SANBAG's financial commitment in the amount of \$12,396,377 to SCRRA to advance SANBAG's share of Proposition 1A funds for PTC. There will be a drawdown order for the funds used to backstop the LONP, beginning with the Los Angeles County Metropolitan Transportation Authority. Following LACMTA's contribution, OCTA, RCTC and SANBAG would begin making percentage contributions based on their LONP shares. LACMTA's contribution would enable SCRRA to maintain another five months of cash flow for the project. Therefore, at the earliest, SANBAG's contribution is not expected to be required until September 2011.

The \$12,396,377 funding guarantee would be comprised in whole or part of LTF rail funds, SANBAG's operator allocation of STA funds, Measure I rail funds or prior year carryover funds from Metrolink that staff is currently working to recover. All of these funds are designated to fund rail transit projects, and if the guarantee becomes needed, would not result in the delay to other non-transit and SANBAG rail projects. If it becomes imminent that the funds will be required by SCRRA for PTC, staff will return to the SANBAG Board with a specific financial plan that would provide the funding sources and amounts to be used to fulfill SANBAG's funding guarantee. Staff would fund at that time also present a funding agreement between SANBAG and SCRRA that establishes the terms of repayment for the funds used to advance the state Proposition 1A bonds for PTC.

It is possible that all or part of the funding that SANBAG is guaranteeing may not be required for the PTC project. Staff participated in a value engineering peer review panel that occurred July 20-21 that was comprised of representation from

the SCRRA member agencies, Amtrak, BNSF and UP. Based on initial recommendations from the peer review panel, there are scope of work elements and future cost drivers included in the project that are not core PTC elements and necessarily essential in order to deliver a fully Federal Railroad Administration (FRA) compliant and interoperable PTC system. It is imperative that the recommendations of the peer review panel be considered, as a reduction in cost for PTC will defer all or part of the need for member agencies to advance state funding and it will free up additional resources for use on other rehabilitation, equipment or capacity projects that are required for SANBAG and the Metrolink system.

In order to meet the timeframe for approval of the Metrolink Vendor/Integrator PTC contract, SCRRA is pursuing LONP approval and allocation at the September 22/23, 2010 CTC meeting. SANBAG, RCTC, LACMTA, VCTC, and OCTA must commit to advancing the necessary funds in advance of this meeting in order for the CTC to approve the LONP.

The current proposed SCRRA Member Agency shares for the Positive Train Control LONP are included in Attachment 1 to this agenda item. The proposed letter of support SCRRA's LONP is included as Attachment 2 to this agenda item.

Financial Impact: This item is consistent with the currently adopted FY2010/2011 Budget, TN. 35211000 General Commuter Rail. Approval of this item, however, would establish a commitment to fund \$12,396,377 of SANBAG's PTC obligation should Proposition 1A funds not be available when needed. If SANBAG is required to provide the funds to SCRRA in the future, staff would prepare a funding plan with the specific fund types and amounts for future Board consideration and amendment into the Budget.

Reviewed By: This item was reviewed by the Commuter Rail & Transit Committee on August 19, 2010 and unanimously recommended for approval.

Responsible Staff: Ryan Graham, Transit Planning Analyst

PROPOSED PTC LONP SHARES

Prop 1A FY 11 LONP Need for PTC	
Intercity Rail July 1 Request	\$ 46,550,000
Commuter Rail August 11 Request	\$ 12,200,000
Total	\$ 58,750,000

	Member Agency	Share of Total PTC Project	Member Funds Programmed	Balance	Share of Balance	Share Applied to LONP Need*
	Metro	\$ 95,760,000	\$ 47,966,055	\$47,793,945	48.5%	\$ 28,484,061
	OCTA	\$ 39,916,800	\$ 38,442,405	\$1,474,395	1.5%	\$ 878,705
	RCTC	\$ 22,377,600	\$ 4,979,223	\$17,398,377	17.6%	\$ 10,369,021
	SANBAG	\$ 29,030,400	\$ 8,230,284	\$20,800,116	21.1%	\$ 12,396,377
	VCCTC	\$ 14,515,200	\$ 3,404,296	\$11,110,904	11.3%	\$ 6,621,836
	TOTAL	\$ 201,600,000	\$ 103,022,263	\$98,577,737	100.0%	\$ 58,750,000

ATTACHMENT 2

August 17, 2010

Mr. John Fenton
Chief Executive Officer
Southern California Regional Rail Authority
818 West 7th Street, Suite 2600
Los Angeles, CA 90017

CALIFORNIA TRANSPORTATION COMMISSION LETTER OF NO PREJUDICE FOR SCRRA POSITIVE TRAIN CONTROL PROJECT

Dear Mr. Fenton:

I am writing to express our support for your Letter of No Prejudice (LONP) request to the California Transportation Commission (CTC) for the Positive Train Control (PTC) project. Our support also extends to providing a financial guarantee for our member agency share of local funds to replace Proposition 1A High Speed Passenger Train Bonds (Prop 1A) funds, should it be necessary. PTC is a very high priority for the San Bernardino Associated Governments (SANBAG), and we are making every effort to ensure that the necessary funding is available to Southern California Regional Rail Authority (SCRRA) for an expeditious implementation.

At a July 16, 2010 meeting of the SCRRA member agencies, each agreed to take on a share of the responsibility for providing a financial guarantee for the project. The agreed upon shares are shown in Enclosure A. SANBAG's share of the LONP is estimated at 21.1%. Applying this share to the \$46.55 million intercity allocation request first agendized for the July 1, 2010 CTC meeting and the \$12.2 million commuter rail allocation request to be agendized for the August 11, 2010 CTC meeting, the SANBAG is committed to advance funding of up to \$9.8 million and \$2.5 million, respectively, for a total of \$12.3 million.

I understand that the purpose of the LONP for Prop 1A funds is to allow SCRRA to award and enter into a design-build contract for implementing Positive Train Control and that SCRRA has sufficient other funding to carry the project for approximately six months. SCRRA would only access member agency funds should other funds be exhausted before the state can make Prop 1A funding available. Enclosure B includes copies of a minute action by the SANBAG Board approving SANBAG's advance of \$12,396,377 funds for the PTC project.

Mr. John Fenton
August 17, 2010
Page 2

Should you have any questions, please contact Mitch Alderman at (909) 884-8276.

Sincerely,

Deborah Robinson Barmack
Executive Director

Enclosures:

- A. LONP Shares for Positive Train Control
- B. SANBAG Board minute action approving the financial guarantee of SANBAG's share for PTC

cc: Art Leahy, LACMTA
Bill Bronte, Caltrans Division of Rail
Will Kempton, OCTA
Darren Kettle, VCTC
Cindy McKim, Caltrans
Anne Mayer, RCTC
Bimla Rhinehart, CTC
David Sosa, Caltrans District 7

Minute Action

AGENDA ITEM: 28

Date: September 1, 2010

Subject: California Air Resources Board (ARB) Proposed Regional Greenhouse Gas Emission Reduction 2020 and 2035 Targets for Automobiles and Light Trucks Pursuant to Senate Bill (SB) 375

Recommendation: * Receive report.

Background: SB 375 calls for reductions in greenhouse gas emissions from light and medium duty vehicles, principally through reduction in miles traveled (VMT). An abundance of data indicate that most emission reductions from the transportation fleet will occur as a result of higher fuel efficiencies, increasing percentages of hybrid vehicles, and ultimately zero emission vehicles, but the authors of SB375 argued that these reductions were inadequate to offset population growth and growth in per capita VMT. Importantly, emission reductions from the evolution to more fuel efficient and cleaner cars are credited to the ARB, the state agency principally responsible for emission reductions from the light and medium duty vehicles targeted by SB375, not to the agencies working to implement SB375. An exception may be made for those agencies that can demonstrate that their program results in a cleaner fleet than the ARB program alone.

The Southern California Association of Governments (SCAG) and California's other large Metropolitan Planning Organizations (MPOs: the Bay Area, San Diego, and Sacramento) provided recommended targets to the ARB in May. SCAG indicated that its "ambitious but achievable" scenarios yielded per capita CO2 reductions below 2005 levels of 7% to 8% in 2020, and 5% to 6% in 2035.

*

*Approved
Board of Directors*

Date: _____

Moved:

Second:

In Favor:

Opposed:

Abstained:

Witnessed: _____

COG	<input checked="" type="checkbox"/>	CTC	<input checked="" type="checkbox"/>	CTA	<input checked="" type="checkbox"/>	SAFE	<input type="checkbox"/>	CMA	<input checked="" type="checkbox"/>
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Check all that apply.

The ARB responded on June 30, 2010 with its "Draft Regional Greenhouse Gas Emission Reduction Targets For Automobiles and Light Trucks Pursuant to Senate Bill 375" which acknowledged the MPO's input and called for targets for the large MPOs of 5-10% for 2020 and 3-12% for 2035. The ARB draft also expressed concern over SCAG's recommendation of a 2035 target that was lower than its 2020 target.

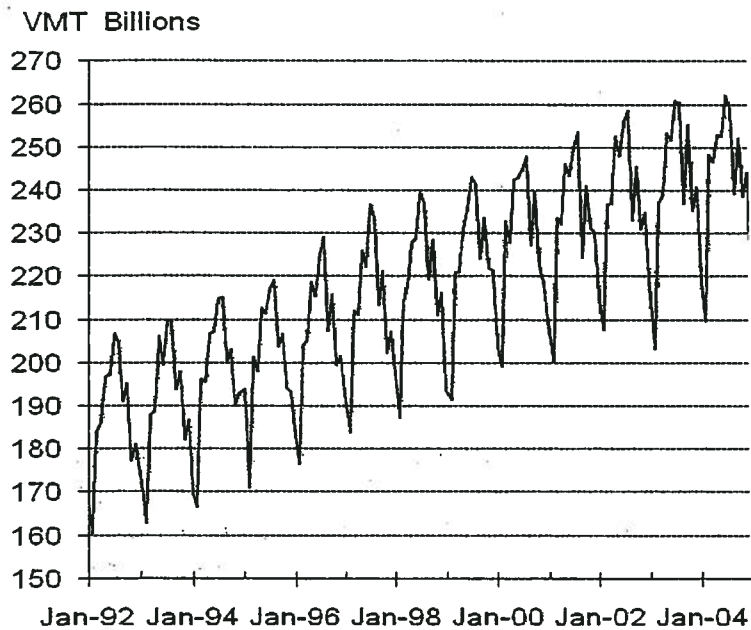
The ARB released its latest proposed SB375 targets for comment on August 9, 2010 and has scheduled the targets for consideration by the ARB Governing Board on September 23, 2010. ARB is now recommending a target for SCAG of 8% per capita CO2 reduction from 2005 levels by 2020, consistent with the top of the range recommended in May by SCAG, but is recommending 13% from 2005 levels by 2035, more than double SCAG's recommendation. Simplistically, it seems reasonable to assume that SB375 actions can achieve more emission reductions in 2035 than by 2020. The ARB report says, "Since a significant portion of the built environment in 2020 has been defined by decisions that have already been made, the [proposed] 2020 targets are not as large as the longer term 2035 targets."

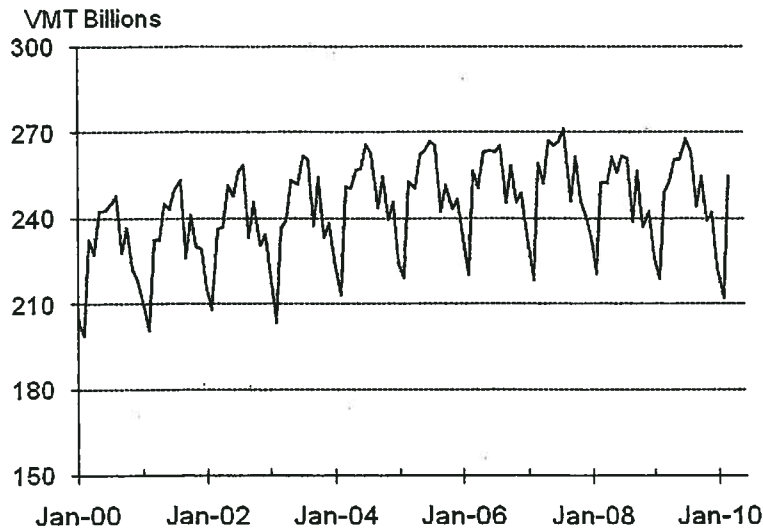
The 2005 per capita emission level from which reductions are to be estimated is 21.2 pounds of CO2 equivalent per weekday. Spreadsheets posted by the ARB in association with the August 9th release also indicate that the 8% reduction called for by 2020 would reduce per capita emissions to 19.5 pounds, and the 13% reduction would reduce per capita emissions to 18.4 pounds per day. Though not stated, it is clearly implied that emission reductions of 8% in 2020 and 13% in 2035 are expected to be achieved by similar VMT reduction percentages in 2020 and 2035, respectively. However, that would be true only if the fleet's average emissions per mile remained constant over the 30-year period.

This is not accurate. Even if no California clean vehicle policies existed, the federal Corporate Average Fuel Economy (CAFE) standard would cut average CO2 emissions from vehicles targeted by SB375 by about half, from around 450 grams CO2 per mile in 2005 to about half that in 2035. However, the 2020 and 2035 fleets in the South Coast Air Basin cannot even be this dirty if the basin is to attain federal clean air standards for 8-hour ozone (2023 for the old standard, 2030 for the new standard). This is made clear by a presentation prepared by the South Coast Air Quality Management District for the annual conference of the Cal State San Bernardino Leonard Transportation Institute in May 2010 (Attachment 1). It presents a very clear demonstration of why the South Coast Air Basin light and medium duty vehicle fleet targeted by SB375 must be essentially combustion-free within 20 years (zero emission for both criteria pollutants and CO2) to attain federal health-based air quality standards. Achieving this fleet transformation will be challenging, but it would mean that the

emission reductions associated with VMT reduction would be negligible. If CAFÉ standards were the only regulation in place, the ARB document overstates the emission benefits of VMT reduction twofold; in the air quality attainment case, the overstatement of the air quality benefits of VMT reduction is larger still.

It has also been argued that continuing increases in per capita VMT have (and will continue to) offset emission reductions associated with cleaner and more efficient technologies. A review of the federal data shown in Figures 1 and 2 below (Federal Highway Administration, 2005 and 2010) show this is no longer true. Despite nationwide population growth, total VMT has remained fairly constant for the last five years, which means that per capita VMT has actually declined. The combination of expected fuel prices, economic conditions, and demographic data all point toward a continuation of the current trend.





In summary, it is staff's opinion that the recommendations released on August 9, 2010, by ARB seriously overstate the future emission benefits of VMT reduction by ignoring the technologic change that is occurring today and needs to continue to reach attainment of federal air quality standards in the South Coast Air Basin. This results in a significant misrepresentation of the importance of VMT reduction as a long-term air quality measure. Such misrepresentation may further challenge the transportation community in its processing of capacity projects through the environmental process by feeding the misperception that VMT in itself is an air quality issue.

Interagency discussions on this matter continue and any resolution reached prior to the meeting will be presented.

Financial Impact: This item as no financial impact on the 2010/2011 SANBAG budget.

Reviewed By: Direction given by the Plans and Programs Committee is as follows: "Advocate a return to an emission-focused program that avoids any misperception that fuel efficiency and fleet conversion to clean vehicles are unimportant [to emission reduction]. Credit for VMT reduction is appropriate if in fact it produces emission reductions, but credit should also be awarded for local actions that facilitate fleet conversion beyond existing programs [i.e., contribute to closing the black box]. Organize effective advocacy for this position in partnership with other CTCs, COGs, the Air Districts, and SCAG, and support efforts to define targets as ranges rather than absolute numbers."

The effective advocacy statement was added by Supervisor Mitzelfelt, and call for ranges was from Mayor Pro Tem Jahn.

Per Supervisor Gonzales, the AQMD may take the lead in arranging a meeting prior to action on the ARB recommendation by SCAG on September 2.

This item was reviewed by the Plans and Programs Policy Committee on August 18, 2010.

Responsible Staff: Ty Schuiling, Director of Planning

Presentation

- The Big Picture . . . Where we've been and where we need to go
- Is getting there really possible?
- Making it happen: SCAQMD's role and strategies

2

**Clean Air
Clean Energy
Clean Transportation
*Making the Connections***

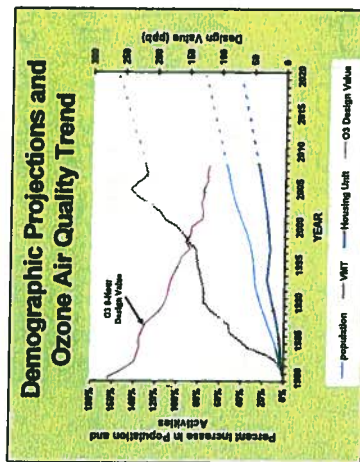


Peter Greenwald
Sr. Policy Advisor
South Coast Air Quality Management District
April 2010

Cleaning the Air That We Breathe...

- The Big Picture: Where we've been and where we need to go

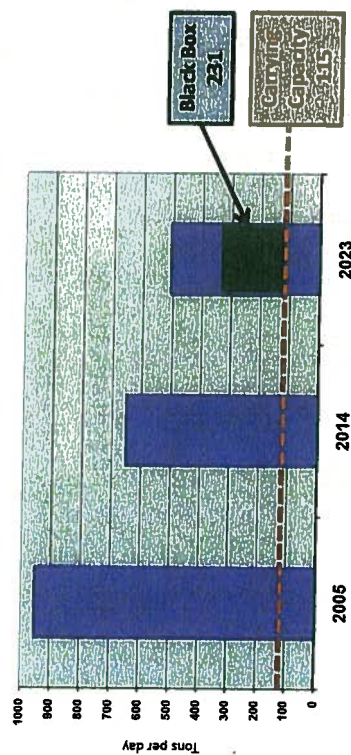
History: Air Quality Progress With Growth Key Reason: *Technology*



- AQMD policy generally growth accommodating
- Sources generally controlled over 90%
- Technical challenges increasing
- Increasing marginal control costs . . . diminishing marginal returns

Baseline NOx Emissions and Federal 1997 Ozone Standard Carrying Capacity

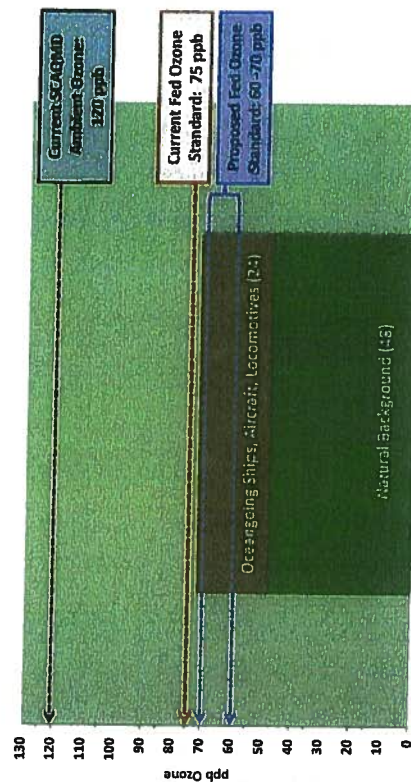
Data from 2007 AQMP
Including benefits of rules adopted to 2007



5

2030 Ozone: Source Contributions

Background + Ships + Aircraft + Locomotives = 72 ppb
(With Tier 4 Locomotives; Approx 75% Tier 3 Ships)



6

Needed:
75 – 90 percent *additional* NOx reduction

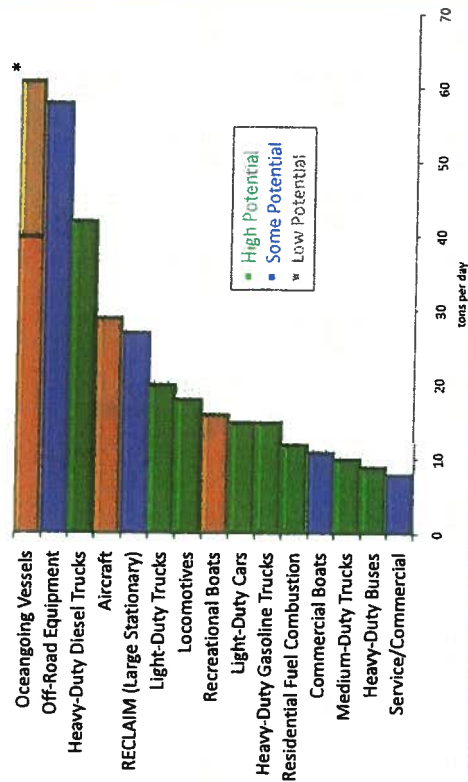
Timeframe: 2023 - 2030

Requires broad
deployment of zero-emission
technologies, e.g. electric

"Combustion Out"

- Is getting there possible?

Top 15 AQMP NOx Categories in 2023 Technological Potential for Electrification / Zero-E



* Preliminary emissions estimates. Based on AQMP Tier 1-3 for ocean vessels, EPA 2009 rule for locomotives, 2017 AQMP short-term measures for other. Range for oceangoing vessels based on varying deployment assumptions for AQMP Tier 3 vessels.

Key Sources: A Technology Path

NOx	• Electric / Zero-E
	— On-Road (with hybrid transition)
	— Rail
	— Ships at Berth
NOx	— Residential
	• Substantial Hybrid-Electric
	— Off-Road
	— Harbor Craft
NOx	• Electric / Zero-E Where Possible
	— Industrial/Commercial
	• 80% NOx Control (SCR - level)
	— Ocean Vessel Main Engines
NOx	• Substantial Renewable Energy
	— Grid Power
	— Distributed Generation
VOC	• Ultra-Low VOC
	— Consumer Products
Etc.	• Vessel Main Engine PM Control
	— Aircraft
Tech Advance	

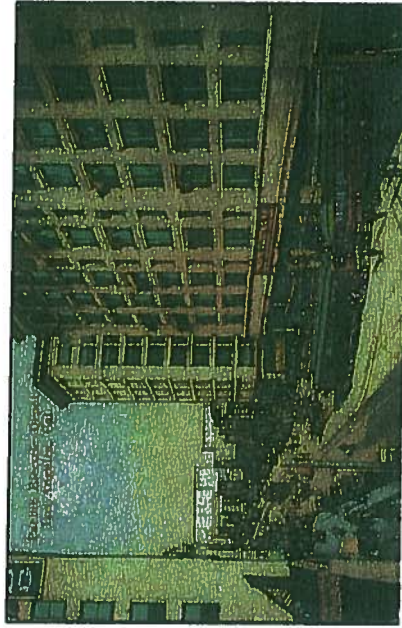
Is such a path
possible in the *real world*

?

What's already been achieved . . .

11

Combustion Out 100 Years Ago:
Electric Local Rail Transit



Los Angeles Pacific Electric Railway Depot, circa 1910

12

Combustion Out 1944: Electric Regional Rail Transit

Four Counties 1,150 Track Miles 900 Cars 109 Million Passengers



13

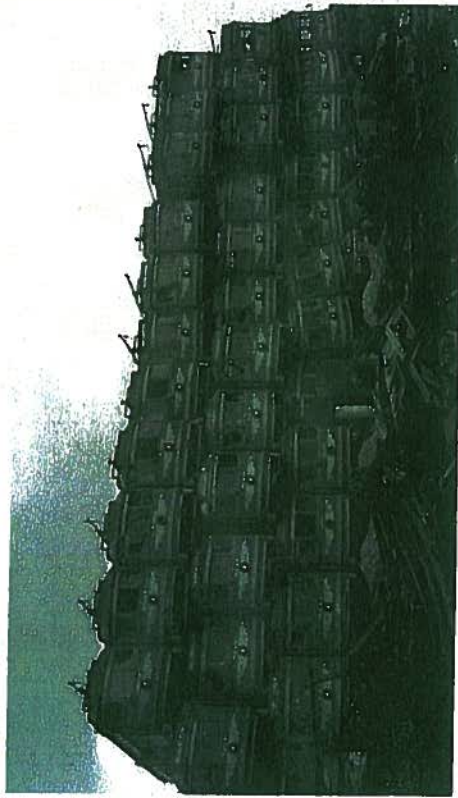
Combustion Out 1948: Electric Transit Buses



Los Angeles Transit Lines - The Trolley Bus:
One of the final 30 delivered to Los Angeles in 1948

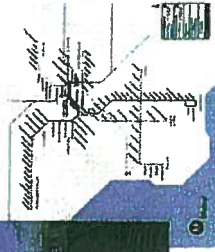
14

Combustion In



15

Combustion Out Today: Light Rail



16

Combustion Out Today: Cars and Light/Medium-Duty Trucks

AUTO NEWS | FORD | GM | CHRYSLER | AUTO SHOWS
POSTED: APRIL 16, 2010

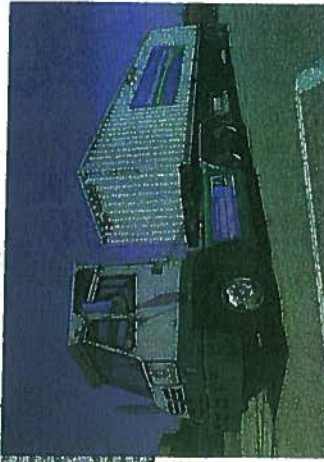
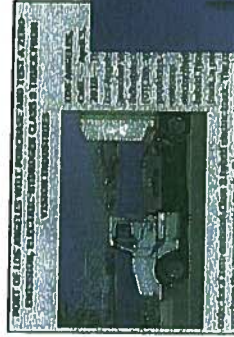
Ford says auto future hinges on electric car
Technological advances to make eco-friendly vehicles mainstream
FORD PRESS RELEASE

LA 2009: Toyota debuts its plug-in Prius for North America



17

Combustion Out Today: Heavy-Duty Trucks



18

Combustion Out Today: Residential

INTRODUCING THE NEW HYBRID

Geospring™ Water Heater

Electric Heat Pump Water Heater

Save without sacrificing hot water

Make the next generation of water heaters. Geospring Water Heaters are the first to use a ground loop system to pre-heat water, saving energy and reducing your water heating costs.

Electric Water Heaters

Rheem Pro
Rheem Pro
Rheem Pro
Rheem Pro
Rheem Pro

Warranty:

- Tank Warranty
- Parts Warranty
- 8-year limited Protection-Plus

WHAT'S NEW



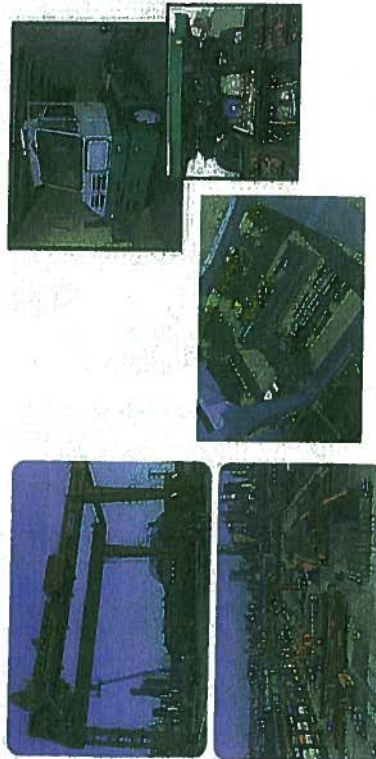

19

Combustion Out Today: Ships at Berth



20

Combustion Out Today: Cargo Handling Equipment



http://www.bird.com/employees/communications/bird_lucky/2007/06/2007-06-28-e.html

21

Combustion Out Today: Freight Rail

Worldwide . . . but not in United States



22

Combustion Out Today: Electricity Generation



80 kW Solar Expansion; Stationary Fuel Cells; 2 x 250 kW in Fontana; 3 x 5 kW in Irvine

Combustion Sources Today: Oceangoing Vessels

March 2010: IMO requires lower sulfur fuel, and 80% NOx control for new vessels used in U.S. waters beginning 2016



Dr. A. V. K. Murthy

1. -f. 2000

March 26, 1970

[illegible]

- Making it happen, SCAQMD's roles and strategies

25

Reassessing Roles & Strategies

- Incremental improvements in exhaust treatment won't be sufficient
 - Authority spread among many entities
 - Need emphasis on —
 - planning & analysis
 - commenting, advocacy, public information,
 - collaborative solutions
 - funding
- in addition to traditional rulemaking role

26

Region's Leadership Position

- What the nation and world will need in 2050 . . . South Coast will need in 2030
- SCAQMD duties —
 - *"responsibility for securing the cooperation of other public entities in the implementation of the (air) plan"*
 - *"represent the citizens of the basin in influencing the decisions of other public and private agencies whose actions might have an adverse impact on air quality"***

General Policies for the Future

Eliminate the Black Box



- Served purpose, but as attainment deadlines approach,
 - could hinder planning & tech development
 - e.g. long lead-time infrastructure
 - creates business uncertainty
- Specify at least generally what region needs in long-term, and from what sources
 - we know much *today*
 - SIP measures can include options

29

Leapfrog Technologies



- Wherever possible, consistent with need to maintain interim progress,
 - seek emissions controls needed for long-term
- Advanced tech can address NOx, PM & HC in one step
- Seek consensus for long-term control by providing finality & certainty

30

Use "Convergence" to Build Consensus

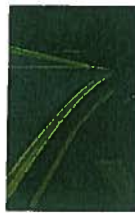
- *Convergence*: Zero-emission technology can be part of solution to multiple needs:
 - energy security
 - efficiency
 - climate
 - mobility
 - jobs



31

Use "Convergence" to Build Consensus, cont'd

- Seek design of fed, state, local actions to —
 - Provide co-benefits
 - More bang for buck
 - Broader support
 - Reduce overlapping regulatory burdens
 - Foster public support for capacity enhancing infrastructure projects through zero-emission tech



32

Use "Convergence" to Build Consensus, cont'd

- Seeking federal funding
 - Develop air strategies that also serve national priorities, e.g. energy security
 - Lead in coordinated solutions
 - Focus on national importance of region as freight gateway



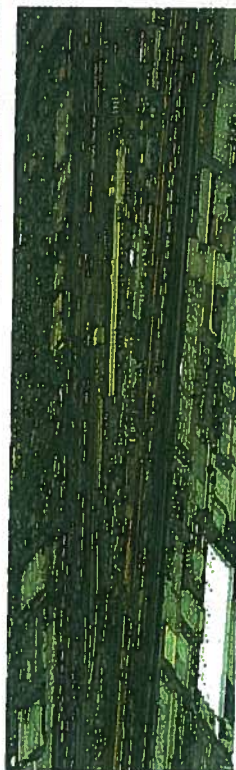
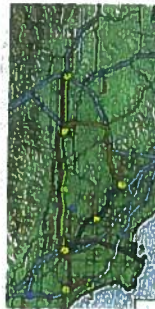
33

Strategies: Specific Examples

34

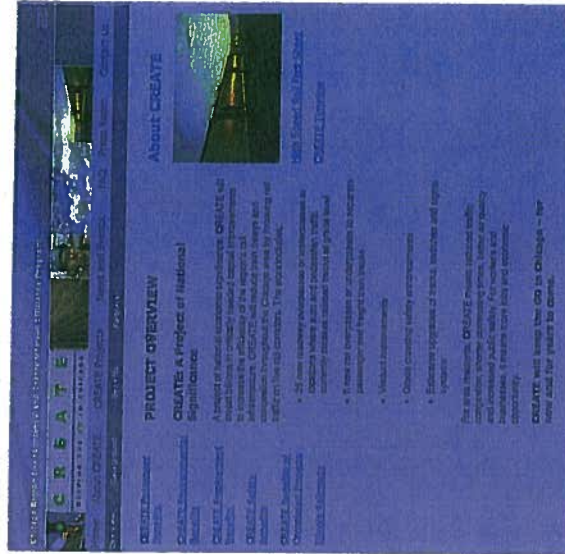
Define a Freight Transport System that Meets Region's Long-Term Needs

- Work with transportation agencies and stakeholders
- Seek federal funding for consensus system



35

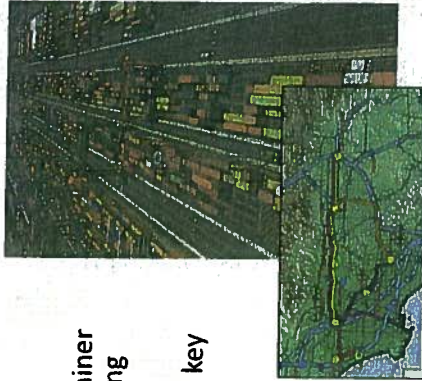
Example: Chicago



36

Define a Freight Transport System that Meets Region's Long-Term Needs, cont'd

- Potential elements:
 - Zero-emission port container transport & cargo handling *(in the works now)*
 - Electrified truck lanes on key corridors *(in the works now)*
 - Rail electrification



37

I-710: Dedicated Zero-Emission Truck Lanes?

- Key corridor
- Benefits: safety, congestion (freight & passenger), GHG, regional pollutants, railroad risk, public support
- Being considered: overhead catenaries or electromagnetic roadbed
- Model for additional routes?

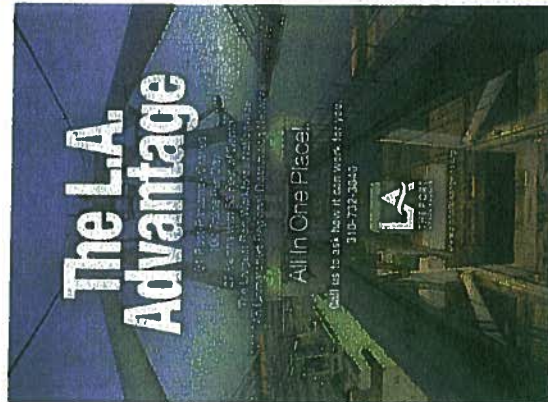


http://www.ada.org/transportation/photo_gallery.asp

38

Achieving Consensus on Freight Transport

Global
competitiveness
+
Local
quality of life
=
A world class
transport system



39

Light-Duty Vehicles

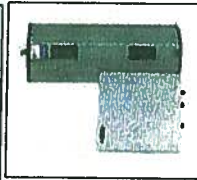
- CARB authority
- Support infrastructure for electricity and hydrogen
- Support development and transfer of complementary technologies
 - Subsystems
 - Batteries
 - Alternative fuel hybrids



40

Reduce Residential Combustion

- AQMD authority
- Energy efficiency, cost saving, GHG co-benefits
- Existing technology
- Many existing units will need replacement prior to attainment deadlines



41

Foster Renewable Energy

- Incentives, planning, etc . . .



Find the renewable power!

42

Oceangoing Vessels

- Nothing requires IMO Tier 3 vessels to be built or routed to U.S. waters
- Controlling this enormous NOx source is left to *vagaries of global commercial decisions*



43

Oceangoing Vessels, cont'd

- Proposals
 - Requirements or incentive/disincentive programs to spur routing of clean vessels
 - Preference: Avoid concerns about cargo diversion through national program
 - Legislation may be needed



44

Rail Electrification

- Alameda Corridor: designed to accommodate electrification
- Dual-mode locomotives, New York City
- Funding opportunities in energy/climate, transportation bills?



NSF ponders switch from diesel to electric rail system

NSF ponders switch from diesel to electric rail system. The National Science Foundation (NSF) is considering a switch from diesel to electric power for its locomotives, according to a report by the House of Representatives. The report, which was released last week, says that the NSF is currently using diesel locomotives to transport its research equipment and personnel. However, the NSF is considering switching to electric power because it is more environmentally friendly and more cost-effective. The report also mentions that the NSF is currently using diesel locomotives to transport its research equipment and personnel. However, the NSF is considering switching to electric power because it is more environmentally friendly and more cost-effective. The report also mentions that the NSF is currently using diesel locomotives to transport its research equipment and personnel. However, the NSF is considering switching to electric power because it is more environmentally friendly and more cost-effective.

http://www.atsa.org/newsroom/photos_gallery.asp

Technology Advancement

- Two key non-road needs:
 - Vessel main engine PM
 - Largest source of port cancer risk
 - EPA authority
 - Aircraft
 - EPA, ICAO authority; state preemption
 - Opportunity: GHG fuel efficiency measures



Conclusion

"Swing for the fences."

— Energy Secretary Steven Chu
on technology development

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Thank You!



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AGENCY REPORTS

-
- San Bernardino County Transportation Commission ■ San Bernardino County Transportation Authority
 - San Bernardino County Congestion Management Agency ■ Service Authority for Freeway Emergencies
-

AUGUST COMMUTER RAIL REPORT

1. PATRONAGE

San Bernardino Line:

Patronage on the San Bernardino Line dropped 4% compared to last month and was also down almost 8% from the same month last year. Preliminary August data is lower than July with a current average of 10,965 passenger trips per weekday.

San Bernardino Line Saturday patronage was up almost 8% from June. July 2010 was also 10% stronger than July 2009. August data-to-date shows quite a drop in Saturday ridership, currently averaging 3,296 passenger trips per Saturday.

Sunday ridership showed a 16% decrease from last month as well as a 7% decrease from the same month a year ago. As of mid-August, average Sunday ridership is back up with a current average of 2,414 passenger trips per Sunday.

Riverside-Ontario-Los Angeles Line:

July average daily ridership on the Riverside Line decreased almost 5% from last month but was up 4% in a year-to-year comparison. A preview look at August data shows a boost in patronage with a current average of 5,229 passenger trips per weekday.

Inland Empire-Orange County (IEOC) Line:

Ridership on the IEOC Line decreased a bit as well, down 2% from June 2010. In addition, July 2010 was slightly (<1%) slower than July 2009. At this point, August patronage is even slower than July with the current daily average at 3,695 passenger trips per weekday.

Total System:

System wide, average daily ridership decreased 3% from June. July 2010 was 4% slower than July 2009. Early data for August suggests a very slight drop in patronage from July with a current average of 38,364 passenger trips per weekday.

Table 1

Average Weekday Daily Ridership*

	<u>San Bernardino</u>	<u>Riverside</u>	<u>IEOC</u>	<u>Systemwide</u>
July 2010	11,146	5,082	3,837	38,709
July 2009	12,067	4,879	3,868	40,313
% Change	- 7.6%	+ 4.2%	- 0.8%	- 4.0%

* Adjusted for Holidays

Table 2

Average Weekend Ridership

	<u>San Bernardino Saturday</u>	<u>San Bernardino Sunday</u>
July 2010	3,719	1,957
July 2009	3,371	2,114
% Change	+ 10.3%	- 7.4%

2. ON-TIME PERFORMANCE (arrival within 5 minutes of scheduled time)

San Bernardino Line:

July on-time performance for the San Bernardino Line worsened compared to June. Inbound trains dropped three percentage points to finish July on time 91% of the time. Outbound trains dropped from 91% on time in June to 88% on time in July. Signals and communications caused half of the nine-four reported delays.

Riverside-Ontario-Los Angeles Line:

On-time performance for the Riverside Line improved slightly from June to July. Outbound trains held steady (again on time 97% of the time) while inbound trains picked up a point to finish July 98% on time. Track difficulties and Metrolink operations each accounted for two of the seven reported delays.

Inland Empire-Orange County (IEOC) Line:

July on-time performance for the IEOC Line also improved slightly compared to June. Although southbound trains again performed on time 98% of the time, the performance for northbound trains bumped up from 90% on time in June to 91% on time in July. Five of the nineteen reported delays were caused by signals and communications and another five delays were due to track difficulties.

Table 3

On Time Performance

**% of weekday trains arriving w/in 5 min of scheduled time
(July 2010 vs. July 2009)**

	<u>San Bernardino</u>		<u>Riverside</u>		<u>IEOC</u>	
	In	Out	In	Out	So	No
July 2010	91%	88%	98%	97%	98%	91%
July 2009	94%	89%	98%	95%	95%	95%



REPORT: Mobile Source Air Pollution Reduction Review Committee

FROM: Gwenn Norton-Perry, SANBAG Representative to the MSRC

SYNOPSIS: The MSRC conducted its annual offsite retreat with its Technical Advisory Committee on Thursday, July 15, 2010, at the McCoy Equestrian Center in Chino Hills. The retreat, while addressing regular business as well, was to brainstorm development of the FY 2010-11 Work Program. A summary of their July 15, 2010 meeting/retreat is provided in this report. Since the MSRC canceled its regularly scheduled meeting in August, their next meeting is Thursday, September 16, 2010, at 2 p.m. in Conference Room CC8.

Approved Minutes

The June 17, 2010 MSRC meeting minutes were approved by the MSRC at its July 15, 2010 meeting.

Joint MSRC & MSRC-TAC Annual Offsite Retreat

On July 15, 2010, the MSRC conducted its annual offsite retreat with its Technical Advisory Committee to brainstorm its upcoming FY 2010-11 AB 2766 Discretionary Fund Work Program, for which approximately \$18 million is available for projects. MSRC staff reviewed how the program has changed over the last 20 years, and the MSRC heard presentations from two keynote speakers - Heather Fargo, Executive Policy Officer for California's Strategic Growth Council, and Josh Boone, Executive Assistant for California's Plug-In Electric Vehicle Collaborative Council. Ms. Fargo discussed the Council's tasks, which includes assisting state and local agencies reach AB 32 goals, and their urban greening and sustainable community grant programs. Mr. Boone discussed the Council's objective to develop and implement a comprehensive plan for successful deployment of plug-in electric passenger vehicles. The MSRC's Outreach Coordinator, The Better World Group, gave a State of the State presentation, and CARB and the AQMD presented an update on its programs, highlighted its priorities and explained how the MSRC's program can assist in meeting and complementing these priorities. The retreat concluded with MSRC staff reviewing challenges and conceptual elements to consider. Throughout the next couple of months MSRC staff will work with the MSRC's

Technical Advisory Committee to establish subcommittees to begin crafting elements of the work program and soliciting feedback from the MSRC. It is anticipated that FY 2010-11 Work Program elements will be considered in the late fall by the MSRC and AQMD Board.

Award Under FY 2009-10 AB 2766 Discretionary Fund Work Program

As part of its FY 2009-10 Work Program, the MSRC released a \$2.35 million Program Announcement to provide \$35,000 incentives for the purchase or repower of heavy-duty on-road vehicles with alternative fuel engines certified by CARB at or below a 0.2 g/bhp-hr NO_x emissions level. Maximum “per-engine” funding” was capped at \$35,000 for engines with displacements less than 10 liters and \$50,000 for engines with displacements of 10 liters or greater. The Program included a \$300,000 per county geographic minimum and funds were to be awarded on a first-come, first-served basis with applications received on the first day considered equal, with funding to be awarded on a pro-rated basis if applications received on the first day exceeded available funding. The RFP closed February 9, 2010, and 25 eligible applications requesting \$13.69 million were evaluated. At its June 17, 2010 meeting, the MSRC unanimously awarded funding to 21 applications in the amount of \$2,302,556, and the AQMD Board approved these awards at its July 9, 2010 meeting. One application received the first day was not, however, considered by the MSRC in June because the applicant’s Campaign Contribution Disclosure form had not been received at that time. It was subsequently received and at its July 15, 2010 meeting, the MSRC unanimously awarded Frito-Lay North America funding in the amount of \$47,444 for the purchase of up to five electric vehicles. As with the previous pro-rated awards under this Program, Frito-Lay will be offered the option to reduce the number of vehicles, but incentives will not exceed the per-engine cap provided in the Program. The AQMD Board will consider Frito-Lay’s award as part of the FY 2009-10 Work Program at its September 10, 2010 meeting.

Sole-Source Award Policy

At its last meeting the MSRC asked legal to craft a sole-source award policy. The MSRC considered the proposed policy language. After discussion, the MSRC realized some language needed further refinement and clarification. Staff will work on the revised language for consideration at the MSRC’s next meeting. The policy will not be inconsistent with AQMD’s sole-source justification requirements in its Contracting and Procurement Policy, and will address policy issues of concern specific to the MSRC.

Received and Approved Final Reports

The MSRC received and approved three final report summaries, as follows:

- Hemet Unified School District Contract #MS08064, which provided \$75,000 towards the expansion of a CNG fueling station;
- Los Angeles World Airports Contract #MS08009, which provided \$870,000 towards the purchase of 29 buses equipped with advanced natural gas engines; and
- City of Los Angeles, General Services Department, Contract #MS07012, which provided \$50,000 for maintenance facility modifications.

All final reports are filed in the AQMD's library and a two-page summary of each closed project can be viewed in the electronic library on the MSRC's website at <http://www.cleantransportationfunding.org>.

Contract Modification Requests

The MSRC considered contract modification requests and took the following unanimous actions:

1. For City of Garden Grove Contract #ML07024, which provides \$75,000 towards the purchase of three heavy-duty CNG vehicles, approval of a one-year, no-cost contractual term extension;
2. For City of Alhambra Contract #ML07036, which provides \$145,839 towards the purchase of three heavy-duty CNG vehicles and expansion of a CNG fueling station, approval of a reduced contract value and scope of work to remove one CNG crane truck as well as a no-cost, 15-month contractual term extension;
3. For Reed Thomas Company Contract #MS07076, which provides \$348,050 to demonstrate retrofit devices on off-road vehicles, approval of a no-cost, 16-month contractual term extension; and
4. For Tiger 4 Equipment Leasing Contract #MS07071, which provides \$333,967 to demonstrate retrofit devices on off-road vehicles, approval of a no-cost, 16-month contractual term extension.

MSRC's 20th Anniversary Celebration

The MSRC-TAC briefed the MSRC on plans for the upcoming 20th Anniversary Celebration, which will be held in the early part of 2011. A small subcommittee of MSRC and MSRC-TAC members will be formed to finalize plans for this outreach event.

Contracts Administrator's Report

The MSRC's AB 2766 Contracts Administrator provides a written status report on all open contracts from FY 2002-03 through the present.

ADDITIONAL INFORMATION

APPOINTING/ELECTING AUTHORITY	REGIONAL COUNCIL (12:00 noon)	POLICY COMMITTEES (RC Members Serve on One Each) (Subregional Appointments) (County Commissions Appoint One to TCC) (10:00 a.m.)		
		Community, Economic, and Human Development	Energy and Environment	Transportation and Communications
District 6 (Grand Terrace, Colton, Loma Linda, Redlands, Yucaipa)	P. Gilbreath			P. Gilbreath
District 7 (San Bernardino, Highland)	L. McCallon	L. McCallon		
District 8 (Rialto, Fontana)	D. Robertson	D. Robertson		
District 9 (Rancho Cucamonga, Upland, Montclair)	P. Eaton		P. Eaton	
District 10 (Chino, Chino Hills, Ontario)	G. Duncan			G. Duncan
District 11 (Barstow, Big Bear, Needles, Twentynine Palms, Yucca Valley)	B. Jahn	B. Jahn		
District 65 (Adelanto, Apple Valley, Hesperia, Victorville)	G. Coleman	G. Coleman		
San Bernardino County	G. Ovitt			G. Ovitt
SANBAG Acting as County Transportation Commission	K. Chastain			K. Chastain
SANBAG Subregional Appointees*		B. Cortes	J. Williams	E. Graham
*One appointee to each policy committee for a total of three appointees per subregion, plus one additional appointee for every SCAG District over three in the subregion. SANBAG has a total of seven subregional appointees to the policy committees.		G. Norton-Perry	E. Scott	J. Pomierski
		M. Leonard		

Rules of Appointment

1. SANBAG policy stipulates that all SANBAG appointees be SANBAG Board Members.
2. SCAG President appoints Regional Council members to Standing and Policy Committees.

Terms of Appointment

Terms of appointment for Regional Council members representing odd numbered districts expire immediately following the SCAG General Assembly in April of odd numbered years. Terms of appointment for Regional Council members representing even numbered districts expire immediately following the SCAG General Assembly in May of even numbered years. SANBAG appointments to SCAG Policy Committees are for a term from May through the next regular SCAG general assembly of the following year.

Stipend

SCAG provides Regional Council members \$100 per day for a maximum of four meetings per month, plus mileage. A stipend for the fifth meeting per month may be received on approval by SCAG's Executive Director. SCAG also provides subregional appointees representing SANBAG on SCAG Policy Committees \$70 per meeting.

Meeting Information

The regular meetings of SCAG Regional Council, Standing Committees, and Policy Committees are on the first Thursday of each month at the SCAG Offices located at 818 W. Seventh Street, Los Angeles:

10:00 a.m., Policy Committees

12:00 noon, Regional Council

Policy Committees

Community, Economic, and Human Development: Provides policy recommendations to the Regional Council on subjects of housing, land use, resource, economic, community development, infrastructure, employment, and regional disaster preparedness issues. Reviews and recommends to the Planning Committee revisions to the Housing, Economy, Growth Management, Human Resources, and Finance Chapters of the Regional Comprehensive Plan and Guide.

Energy and Environment: Acts as the policy advisory committee to the Regional Council on environmental issues, including air and water, hazardous, solid waste management, natural resources conservation, and energy conservation. Reviews the Environmental Impact Report of the Regional Comprehensive Plan and Guide. Provides recommendations to the Planning Committee on state and federal legislative proposals and administrative guidelines affecting environmental quality, resource conservation, and transportation and communications.

Transportation and Communications: Acts as the policy advisory committee to the Regional Council on all regional matters pertaining to the movement of goods and people on land, water, and air. Reviews and recommends to the Regional Council all major utility development plans. Addresses the location, size, or capacity, timing, and impact of facilities.

SANBAG Policy Committee Membership

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Policy Committee Meeting Times

Policy Committee Meeting Times

Second Wednesday, 9:00 a.m., SANBAG Offices
Third Thursday every other month following the SANBAG Board meeting (Odd Months) 12:00 noon, SANBAG Offices

Third Friday, 9:00 a.m.: Apple Valley

Third Wednesday, 12:00 noon, SANBAG Offices

SANBAG Ad Hoc Committees

COMMITTEE	PURPOSE	MEMBERSHIP
<p>Audit Subcommittee of the Administrative Committee</p> <p>In November 2008, the Board approved the creation of an Audit Subcommittee of the Administrative Committee to strengthen the financial oversight function of the Board. Additional SANBAG Board Members may be appointed annually at the discretion of the Board President.</p>	<p>The responsibilities of the Audit Subcommittee shall be to:</p> <ul style="list-style-type: none"> • Provide a direct contact between the independent auditor and the Board of Directors before, during and after the annual audit. • Work with the auditor and SANBAG staff on reviewing and implementing practices and controls identified in the annual audit. 	<p>Audit Subcommittee (for FY 2009-2010 Audit)</p> <ul style="list-style-type: none"> - SANBAG President – Brad Mitzelfelt, Supervisor - Vice President – Bea Cortes, Grand Terrace - Immediate Past President – Paul Eaton, Montclair - Presidential Appointment – Pat Gilbreath, Redlands
<p>Ad Hoc Committee on Litigation with San Bernardino County Flood Control District</p> <p>In January 2007, the SANBAG President was authorized to appoint an ad hoc review committee of SANBAG Board Members who do not represent local jurisdictions party to the San Bernardino County Flood Control District vs. SANBAG litigation relative to the Colonies Development.</p> <p>In April 2008, the role of this committee was expanded to include the Cactus Basin litigation.</p>	<p>Reviews and provides guidance on litigation with San Bernardino County Flood Control District regarding the Colonies Development and the Cactus Basin in Rialto.</p>	<p>Pat Morris, San Bernardino, Chair Pat Gilbreath, Redlands Richard Riddell, Yucaipa Larry McCallon, Highland</p>

SANBAG Acronym List

This list provides information on acronyms commonly used by transportation planning professionals. This information is provided in an effort to assist SANBAG Board Members and partners as they participate in deliberations at SANBAG Board meetings. While a complete list of all acronyms which may arise at any given time is not possible, this list attempts to provide the most commonly-used terms. SANBAG staff makes every effort to minimize use of acronyms to ensure good communication and understanding of complex transportation processes.

AB	Assembly Bill
ACE	Alameda Corridor East
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APTA	American Public Transportation Association
AQMP	Air Quality Management Plan
ARRA	American Recovery and Reinvestment Act
ATMIS	Advanced Transportation Management Information Systems
BAT	Barstow Area Transit
CALACT	California Association for Coordination Transportation
CALCOG	California Association of Councils of Governments
CALSAFE	California Committee for Service Authorities for Freeway Emergencies
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
CMAQ	Congestion Mitigation and Air Quality
CMIA	Corridor Mobility Improvement Account
CMP	Congestion Management Program
CNG	Compressed Natural Gas
COG	Council of Governments
CPUC	California Public Utilities Commission
CSAC	California State Association of Counties
CTA	California Transit Association
CTC	California Transportation Commission
CTC	County Transportation Commission
CTP	Comprehensive Transportation Plan
DBE	Disadvantaged Business Enterprise
DEMO	Federal Demonstration Funds
DOT	Department of Transportation
EA	Environmental Assessment
E&D	Elderly and Disabled
E&H	Elderly and Handicapped
EIR	Environmental Impact Report (California)
EIS	Environmental Impact Statement (Federal)
EPA	Environmental Protection Agency
FHWA	Federal Highway Administration
FSP	Freeway Service Patrol
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
FTIP	Federal Transportation Improvement Program
GFOA	Government Finance Officers Association
GIS	Geographic Information Systems
HOV	High-Occupancy Vehicle
ICTC	Interstate Clean Transportation Corridor
IEEP	Inland Empire Economic Partnership
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
IIP/ITIP	Interregional Transportation Improvement Program
ITS	Intelligent Transportation Systems
IVDA	Inland Valley Development Agency
JARC	Job Access Reverse Commute
LACMTA	Los Angeles County Metropolitan Transportation Authority
LNG	Liquefied Natural Gas
LTF	Local Transportation Funds

MAGLEV	Magnetic Levitation
MARTA	Mountain Area Regional Transportation Authority
MBTA	Morongo Basin Transit Authority
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MOU	Memorandum of Understanding
MPO	Metropolitan Planning Organization
MSRC	Mobile Source Air Pollution Reduction Review Committee
NAT	Needles Area Transit
NEPA	National Environmental Policy Act
OA	Obligation Authority
OCTA	Orange County Transportation Authority
PA&ED	Project Approval and Environmental Document
PASTACC	Public and Specialized Transportation Advisory and Coordinating Council
PDT	Project Development Team
PNRS	Projects of National and Regional Significance
PPM	Planning, Programming and Monitoring Funds
PSE	Plans, Specifications and Estimates
PSR	Project Study Report
PTA	Public Transportation Account
PTC	Positive Train Control
PTMISEA	Public Transportation Modernization, Improvement and Service Enhancement Account
RCTC	Riverside County Transportation Commission
RDA	Redevelopment Agency
RFP	Request for Proposal
RIP	Regional Improvement Program
RSTIS	Regionally Significant Transportation Investment Study
RTIP	Regional Transportation Improvement Program
RTP	Regional Transportation Plan
RTPA	Regional Transportation Planning Agencies
SB	Senate Bill
SAFE	Service Authority for Freeway Emergencies
SAFETEA-LU	Safe Accountable Flexible Efficient Transportation Equity Act – A Legacy for Users
SCAB	South Coast Air Basin
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCRRA	Southern California Regional Rail Authority
SHA	State Highway Account
SHOPP	State Highway Operations and Protection Program
SOV	Single-Occupant Vehicle
SRTP	Short Range Transit Plan
STAF	State Transit Assistance Funds
STIP	State Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TCIF	Trade Corridor Improvement Fund
TCM	Transportation Control Measure
TCRP	Traffic Congestion Relief Program
TDA	Transportation Development Act
TEA	Transportation Enhancement Activities
TEA-21	Transportation Equity Act for the 21 st Century
TMC	Transportation Management Center
TME	Traffic Management and Environmental Enhancement
TSM	Transportation Systems Management
TSSDRA	Transit System Safety, Security and Disaster Response Account
USFWS	United States Fish and Wildlife Service
VCTC	Ventura County Transportation Commission
VVTA	Victor Valley Transit Authority
WRCOG	Western Riverside Council of Governments

San Bernardino Associated Governments



MISSION STATEMENT

To enhance the quality of life for all residents, San Bernardino Associated Governments (SANBAG) will:

- Improve cooperative regional planning
- Develop an accessible, efficient, multi-modal transportation system
- Strengthen economic development efforts
- Exert leadership in creative problem solving

To successfully accomplish this mission, SANBAG will foster enhanced relationships among all of its stakeholders while adding to the value of local governments.

Approved June 2, 1993
Reaffirmed March 6, 1996